

Please Read Carefully



PLACES 8 F97 HCF 5 H9

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Dear Sir or Madam,

Request for the construction or widening of a residential footway crossing/guidance notes

Thank you for your recent request to have a residential footway crossing constructed at your property.

This letter is set out to enable you to determine whether or not a footway crossing is applicable and appropriate to your individual circumstances.

Layout and Construction Requirements

VACs consist normally of 3 or 4 dropped kerbs with a tapered or transition kerb on either side. The standard maximum total width at road level of dropped kerbs for a VAC is 3.6 metres (i.e. normally 4 dropped kerbs). If there is already a VAC at the property which is shorter than 3.6 metres then it will be permitted to extend the crossing to this width. If a road is narrow then in some cases a further dropped kerb will be allowed to provide easier access.

If there are 2 adjacent properties with VACs on their joint boundary then the joint crossing can be up to 9.0 metres in width to avoid having 2 tapered kerbs laid against each other at the boundary creating a joint VAC.

The opening created at the back of footway in walls or hedges should be a minimum of 2.7m in width to allow access to the property.

A minimum depth of 5.5m is required within the property, from the boundary with the footway or verge, to any permanent fixture or building, in order to allow all vehicles to be parked clear of the footway so as not to overhang the footway or verge.

A suitable permeable hardstanding/driveway must be constructed prior to any work to the vehicle access crossing being undertaken by the Council. Hardstanding means surfaces such as porous tarmac/concrete, slab paving or block paving and gravel (on a suitable sub base).

Whilst it is acknowledged that the hardstanding may not have been constructed at the time the Council provided a quotation, it must be constructed prior to the VAC's construction. The applicant is required to confirm that the hardstanding has been constructed at the same time as paying for the VAC to be constructed.

Loose materials such as gravel or shale may be used as long as there is a 2 metre deep apron of hardstanding between the footpath and the start of the loose material to prevent the loose material spilling onto the public highway. The drive must be constructed to allow water to drain through to underlying sub layers. It is the owner or occupiers' responsibility to ensure that loose material is swept off the highway and back onto the drive.

Cost

A VAC is charged at £149 per square meter of tarmac that needs to be laid. There is a minimum charge of £440 which will be payable if only a small area requires work.

When making an application you are required to pay a non-refundable £50 administration fee. This £50 will be discounted from your final quotation should your application be approved.

A typical cost for a four dropped kerb crossing will cost approximately £1000 although this may vary depending on the width of the pavement or verge. Additional costs may be required to relocate street furniture. The minimum cost for moving a lamp column is £1300 and a street name plate £200.

Planning Permission

The applicant will also require planning permission for a vehicle access crossing if:-

- The property has the frontage directly onto a classified road.
- The property is a listed building.
- The property is other than a house for a single-family e.g. flat, maisonette, commercial or industrial premises or operation.

Furthermore, from 1 October 2008, the permitted development rights that allow householders to pave their front garden with an impermeable surface have been removed. Planning permission is required that details the proposed drainage provisions prior to any works being undertaken to construct a driveway in impermeable material or for the Council to then construct a VAC. This will limit the contributory risk of flooding and pollution of watercourses. The hardstanding within the property must be built so that water does not drain from it across the footway. Suitable drainage must therefore be provided within the boundaries of the property. Permeable surfaces, which drain freely, will not require planning permission.

'Communities and Local Government' and the 'Environment Agency' have produced a document 'Guidance on the permeable surfacing of front gardens'. This provides advice on constructing a permeable surface and details the background to the change in planning requirements. You can download this free document at:

www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

The applicant will need to confirm that the guidance has been complied with prior to the Vac being constructed. This will be indicated on the VAC request form.

Restrictions

- The Council will not support the creation of an in/out crossing unless it can be proved to have a direct safety benefit to the users of the adopted highway.
- VACs will not normally be permitted off parking bays. This is to prevent a reduction in overall parking provision. However, the Council will allow a VAC where the majority of residents directly affected agree to the crossing following a consultation.
- A VAC constructed off a parking area/turning head will be approved where there is a benefit in removing vehicles from the highway. It will be made clear to the applicants that the provision of the VAC is to keep the turning area clear of parked vehicles.
- Any work required relocating utilities and underground apparatus in the footway and/or the removal of any obstructions such as lamp columns, street nameplates and/or any other measures to ensure the safe passage of vehicles will be charged to the applicant. This cost will be detailed at the time of the quotation.
- The removal of any healthy trees in the footway or verge to accommodate a VAC will not be allowed.
- A road with speed limits of 30 m.p.h or higher will require greater clear visibility and will therefore need to be assessed prior to approval being given. These roads may also be part of the classified network and require planning permission as detailed above.
- Any application for the construction of a vehicle access crossing may be refused or modified on the grounds of safety. In this case you will be contacted by an officer before the VAC is constructed.
- Gates fitted across the vehicle entrance to your property, will require planning consent, and may in no circumstances open outwards across the footpath or carriageway (Highways Act 1980 - Section 153). There must also be a minimum distance of 6 metres from the face of kerb to the gates.

Work Program

Work to construct new VACs, will be undertaken within 40 working days of receipt of payment. Where works are delayed or require traffic management which results in a longer timescale then the resident will be contacted with an expected installation date.

Right of Access and Maintenance

The construction of a VAC does not give the occupier of any adjoining land any rights of ownership of the VAC - only the right to drive across the footway to gain access to a property with a private/light goods vehicle. Under no circumstances, are vehicles permitted to park on VACs as this would cause an obstruction for pedestrians.

If the property is identified by the resident on the application form, as being under the control of Solihull Community Housing (SCH) then we will contact SCH and seek their permission for the crossing.

From the date of completion, the Council, as Highway Authority, will assume responsibility for its maintenance at no extra cost to the occupier. However, the rectification of any damage caused by inappropriate use such as heavy vehicles using the crossing to access the property would be chargeable to the occupier or offender.

I am disabled can I get help paying for the dropped kerb?

For assistance please contact Occupational therapy on 0121 329 0191

What happens next?

You send your completed application form to the address shown on the application form with a cheque for £50. In the event of an application being refused this payment is non-refundable. You can also submit your application at the Solihull Connect walk in centre in Library Square, Solihull. We will then check the viability of the proposal, mark the footpath / kerbline with yellow paint and provide you with a written quotation for the construction of the facility. This quotation will be valid until the February following receipt.

Notwithstanding the Conditions and Payment Guidelines above, in certain circumstances it will be necessary for the Council as Highway Authority, to refuse to construct a footway crossing to your premises. In these circumstances you will be informed in writing of the reason why permission has been refused. Main reasons for refusal are:

- (a) Planning grounds
- (b) Housing objections
- (c) Land ownership objections
- (d) Local parking implications
- (e) Safety implications
- (f) Other highway grounds

Should you now wish to proceed further with your application, please return the attached application forms with the £50.00 administration fee (payable to SMBC) and arrangements will be made for an inspector to visit your property to take measurements necessary to provide a quotation.

With the quotation you will also be sent a formal agreement to sign in relation to the proposed vehicular crossing. If you are a tenant your landlord will be required to countersign the agreement. This should be signed and returned with the appropriate payment whereupon arrangements will be made for the crossing to be constructed.

Yours faithfully

Highways Services