

# APPLICATION FOR APPROVAL TO CONSTRUCT VEHICLE CROSSING HIGHWAY ACT 1980 - SECTION 184

## GUIDANCE NOTES

### Application Form

- 1) If you have any questions or problems with your application, please contact Hampshire Highways, telephone number 0845 8504422
- 2) Please provide as much information as possible on the sketch, including dimensions of the access into your property. It would be helpful if you mark the exact position of the crossing on your property boundary. If it is not possible for a crossing to be provided we will advise you in writing. There is no appeals procedure under the Highways Act, but all applications will be considered fairly in line with these notes.

### The Approval Process

- 3) If you are a tenant of a council or housing association or leasehold property you will require the permission of the relevant landlord. Please submit a copy of the written permission with the application form.
- 4) If you live on a classified road, an "A", "B" or "C" road, you will require planning permission. In this instance please contact the Borough/District Council's Planning Officer who will advise you of the procedure. We are unable to process applications until planning permission is granted. Occasionally planning permission is required for some other crossings. If this is the case we will advise you.
- 5) You must check your deeds to confirm there is no restriction on parking a vehicle in the curtilage of the property.
- 6) You must have sufficient room on your property for a vehicle to be parked without it overhanging the public highway. The length required is generally 4.8 metres. If you intend to have gates this distance will need to be longer as gates must open inwards onto your property.
- 7) Vehicle crossings will generally not be approved from a lay-by or other designated parking area.
- 8) A crossing will generally not be approved within 15 metres of a junction.
- 9) A crossing will not usually be approved, or an existing crossing widened, so that it covers the full width of your property.
- 10) Generally, only one crossing will be approved into a property. Separate "in and out" crossings are normally not permitted. In urban areas this may reduce parking available to other residents. In quiet culs-de-sac or in roads with little used footways, where highway safety will not be compromised, a second crossing may be permitted. If you have vehicle access to the front and rear of your property crossings at each frontage may also be allowed, provided it is not possible to drive from one to the other through the property. Please contact us for advice in these circumstances.
- 11) On receipt of your application an Engineer will visit the site to determine its suitability. He will write back to you with an approval (or otherwise) together with an initial estimate for the works. Such approval will be valid for a period of 12 months from the date of the Engineer's letter. The estimate will not include additional costs which may be charged by public utilities (such as

electricity, gas and water undertakers) for any necessary alterations caused by the works to their supply services. Please note that some public utilities will only provide an estimate of cost. The final cost is payable by you, irrespective of whether it is greater or less than their initial estimate.

### **Construction Works**

- 12) The applicant can choose to have the works carried out either by
- a) Hampshire Highways or
  - b) An accredited private contractor of your choice.

Please notify us on the application form, if possible, or after receipt of the initial estimate by Hampshire Highways.

- 13) You are responsible for all costs associated with the works including works necessary to public utilities' supply services.

### **Hampshire Highways**

- 14) Hampshire Highways will provide a "one stop shop" service to carry out all administrative and construction work on your behalf. We will provide a quotation including the estimated cost of all necessary public utilities' works which will be valid for one month. You are under no obligation to accept the quotation.
- 15) The crossing will be marked on the pavement by the Engineer. Please check carefully that you are happy with the size and position of the crossing before accepting the quotation, as it is difficult to make alterations later without causing delay and additional cost to yourself. The marks will include the transition (sloping) kerbs, so, for example, if we have marked out a 5 kerb crossing only 3 will be dropped and 2 will be sloping kerbs.
- 16) On receipt of your authorisation/payment to proceed we will order the works with our partner contractor, Raynesway Construction (Southern) Ltd. They will notify you of a start date and complete all works within six weeks providing there are no public utilities' works. Unfortunately, in such cases, we are dependant upon the utility company carrying out their work before we can commence.

### **Private Contractor**

- 17) Works within the highway can only be carried out by a competent contractor. In general, the contractor will be required to:-
- a) hold public liability insurance in the sum of £10m and indemnify both the applicant and Hampshire County Council on an appropriate certificate; and
  - b) have operatives and supervisors who are trained and accredited to the requirements of the Codes of Practice under the New Roads and Street Works Act 1991.
- 18) You will be required to enter into a Temporary Road Opening Licence. This requires documentary evidence of the contractor's competence and a two year maintenance period for the works during which time you will be responsible for any claims arising from the works. After the guarantee period and upon a satisfactory inspection, including completion of any remedial works, the highway authority will resume responsibility .

- 19) The relevant application form and guidance notes will be forwarded if you indicate that you wish to use a private contractor.

### **Other Helpful Notes**

- 20) If the vehicular crossing requires trees, lamp columns, telegraph poles etc, to be repositioned this will increase the cost considerably. In these circumstances, it may be cheaper for you to consider an alternative position for the access.
- 21) Driveways and parking areas should be constructed to prevent water running onto the highway. If the construction is of loose materials (eg gravel) this must be prevented from being carried onto the highway.
- 22) In conservation areas, the removal or alterations to boundary walls or fences and works within your garden may require planning permission. Please contact the Borough/District Planning Officer for advice.
- 23) If you need to remove an existing wall or fence to allow your vehicle into your property, the quotation from Hampshire Highways will include for the provision of concrete edging to support the footway. It is desirable for you to remove walls or fencing before the crossing is constructed. If you do not, you will be responsible for supporting the footway and for the cost of repairing any damage. The Engineer will assume the level of the footway at the boundary between the pavement and your property will not alter. If you propose to alter this level due to works on your property, please give details on the application form.
- 24) To prevent damage to the newly constructed vehicle crossing, it is preferable if works to the driveway/parking area are carried out prior to the construction of the vehicular crossing. Please ensure any works carried out are made safe to passers by as the Highway Authority cannot be held liable for accidents on private property.
- 25) Entrance markings (white H bar marking on carriageway) cannot be provided upon construction of the crossing. Our policy is that markings are only provided if you experience persistent problems with parked vehicles blocking your crossing and it is necessary for you to call the police to gain access. If you experience this problem once the crossing is constructed you can contact us for advice. It is an offence to obstruct a vehicle crossing even if it does not have entrance markings.