

**FLINTSHIRE COUNTY COUNCIL**  
Planning, Environment & Economy  
Ty Dewi Sant  
St. Davids Park  
Ewloe.  
Flintshire. CH5 3FF

**CYNGOR SIR Y FFLINT**  
Cynllunio, Amgylchedd ac Economi  
Ty Dewi Sant  
Parc Dewi Sant  
Ewloe.  
Sir Y Fflint. CH5 3FF



## **APPLICATION TO CONSTRUCT A VEHICULAR ACCESS**

**Upon completion, please return to:-**

**REF:**

**Flintshire County Council  
Highways Development Control  
Planning, Environment & Economy  
Ty Dewi Sant  
St. Davids Park  
Ewloe. Flintshire CH5 3FF**

**LARef:**

### **1. Personal Details:** - All details must be completed in CAPITAL LETTERS

Title ..... Surname: .....

Full Forename (s) .....

Home Address .....

.....

..... Postcode .....

Home Tel. No..... Work Tel. No. ....

Mobile .....

Email Address .....

### **2. Details of site:**

Site address if different to the above: .....

.....

Do you own the property? Yes / No

If no do you have written consent of owner Yes / No

(If Council property copy of consent to construct a hardstanding in the curtilage of the property would be required)

Is Planning permission required? Yes / No

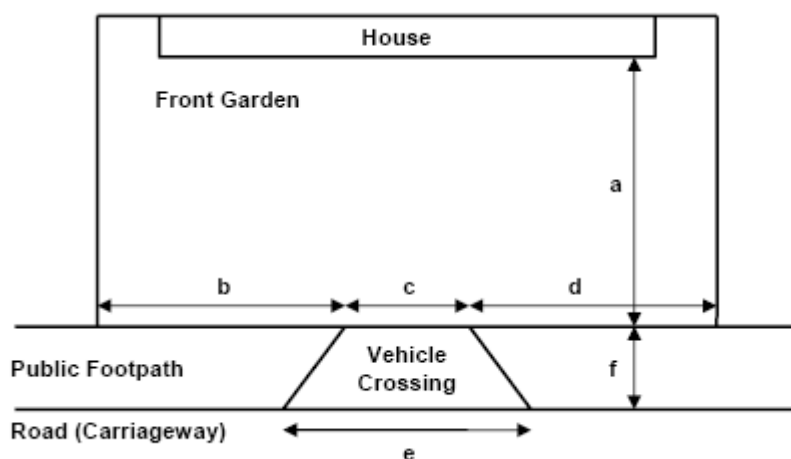
If yes please state the planning permission application number .....

**Proposed Contractor to undertake works** .....

## Proposed site layout:

Please draw a detailed sketch showing the layout and position of the proposed access. Show lamp columns, manholes, iron work, watercourses and other similar obstructions on the sketch.

Sketch your layout here showing dimensions a – f (as per diagram below) alternatively please attach a photograph with the location indicated upon it.



- Typical layout for a vehicular crossing, as viewed from above your house, dimensions a to f need to be shown on your sketch of the proposed access and parking area.

☐ I understand the £200 fee is non-refundable.

☐ I understand the requirements in the pack.

Signed ..... Date.....



# GUIDANCE NOTES FOR THE INSTALLATION OF VEHICULAR CROSSINGS ON THE ADOPTED HIGHWAY

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## 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?

It is an offence under S184 of the Highways Act 1980 to drive over an unlowered pavement unless a vehicular crossing has been authorised and installed. The County Council has powers to serve notice on offenders or construct a crossing and recover its reasonable costs.

## 3. Is planning permission required?

Planning permission is generally required for either a new access or to amend an existing access if your property 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

All new hard standings should be either porous, permeable or designed to allow water to run-off from the hard surface to a permeable or porous area or surface within the curtilage of the house, for example a part of the garden. Where the hard surface is to be constructed with impermeable material planning permission would be required.

In order to determine if your access or hard standing requires planning permission please contact the planning department on 01352 703331 or email [planningadmin@flintshire.gov.uk](mailto:planningadmin@flintshire.gov.uk).

## 4. 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 Flintshire County Council will consider your application.

If the property is an existing Council owned property the application must be accompanied by written consent from Flintshire County Council Housing Department. Please contact: [HAMPpropertyinspections@flintshire.gov.uk](mailto:HAMPpropertyinspections@flintshire.gov.uk) before making your application for a vehicular crossing.

## **5. How to apply**

The completed application form, together with the fee of £200, should be sent by email to: [highwaysdevelopmentcontrol@flintshire.gov.uk](mailto:highwaysdevelopmentcontrol@flintshire.gov.uk) or by post to the address shown on the form. The application fee is non-refundable (see below).

Please Note: The application is in addition to any Planning Consent that may be applicable.

## **6. Who can do the work?**

The applicant can choose to have the works carried out by Flintshire County Council or an approved private contractor of their choice.

If the work is to be done by Flintshire County Council, it will carry out all administrative and construction work and provide a fixed price quotation which will include the cost of public utility searches (but not the original application fee) The quotation will remain valid for 6 months however, applicants are under no obligation to accept the quotation.

Works on the Highway can only be carried out by a competent Private Contractor.

The contractor will be required to:-

- Hold public liability insurance to the sum of £5m and indemnify both the applicant and Flintshire County Council both during and as a consequence of the work carried out.
- 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.
- Provide documentary evidence of the contractor's competence and includes a two year maintenance guarantee for the works during which time they will be responsible for any claims arising from the works. After the guarantee period and upon satisfactory inspection and completion of any remedial works the County Council will resume responsibility for the highway.

## **7. How much will it cost?**

The application fee is £200. This will cover the administration of the application and the visits to the site to initially approve the application and during the construction of the crossing. The application fee is non-refundable. To make a payment by debit or credit card please contact the payments office on 01352 703440. Cheques should be made payable to Flintshire County Council.

If the applicant requires Flintshire County Council to complete the work, the application fee will still apply.

The cost of completing the works will vary dependant on individual circumstances e.g. pavement width or width of crossing. This will be payable to the nominated contractor or the County Council (if instructed to carry out the work)

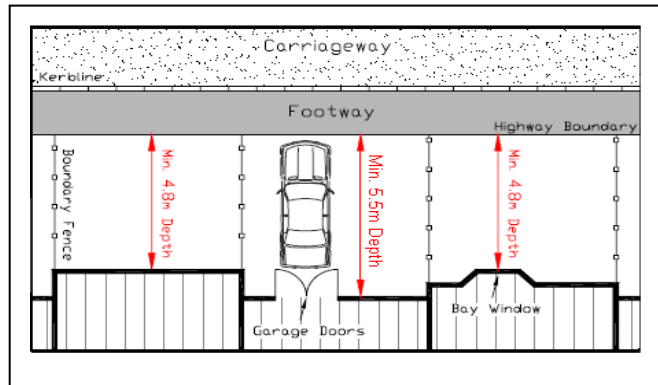
The Council do not operate a discount or easy payment scheme for dropped crossings.

## 8. Requirements

### Is there enough space in your garden?

The standard dimensions of a parking space are 2.4 by 4.8 metres, no part of a vehicle parked within the curtilage of your property can project onto or over the highway. A parking space must be:-

- At least 4.8m long between the back edge of the footway and the building line of the property.
- Be at least 5.5m long when parking to the front of a garage door.



### Parallel Parking

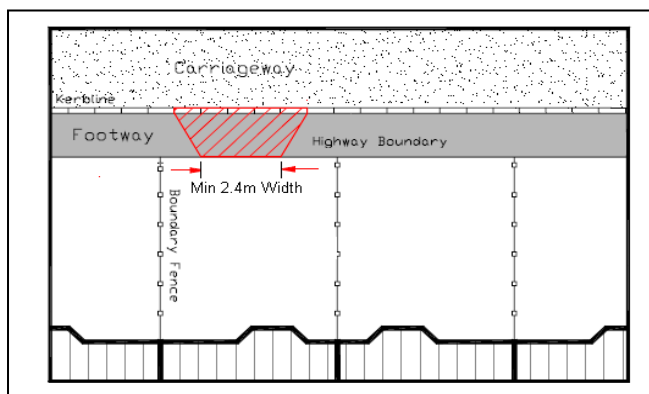
If there is inadequate area to the front of the property to park at right angles the Authority will accept the provision of parallel spaces. A parallel space must be:-

- At least 6.0 metres long to allow for adequate scope for manoeuvring.

### Is the access wide enough?

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

- Minimum width between gate post of 2.4m
- Standard single access width will consist of three dropped kerbs with a transition kerb either side.





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

- Standard double access will consist of six dropped kerbs with a transition kerb either side

When an existing vehicular crossing is being replaced the redundant crossing must be reinstated back to full kerb height.

Where less than two full height kerbs can be retained between crossings the new vehicular crossing should be extended to meet the adjacent lowered kerb. The cost of this enlarged crossing will be the responsibility of the applicant.

If you propose to erect gates across the access they must be hung to open inwards only.

### **Lamp Columns and Street Furniture**

There may be a requirement to relocate street lighting columns, street furniture or utility equipment to facilitate access. This must be done with the prior written consent of the relevant Authority/organisation and at the expense of the applicant.

## **9. 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 requirements 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 in close proximity to a road hump, road safety feature etc.

The Council's decision as to whether the application will be approved or refused is final. The presence of other historic substandard accesses cannot be accepted as mitigation. If the Council refuses the application the application fee of £200.00 is not refundable.





## SECTION 184 – HIGHWAYS ACT 1980 LICENSE TERMS AND CONDITIONS

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1. The construction of the crossing shall be carried out at your own expense and to the satisfaction of the Highway Authority, and any necessary planning consents must first be obtained and complied with. If you are in any doubt it is recommended that you contact my Planning Division to establish whether or not planning consent is required.
2. No water of any kind generated by the proposed development is to be allowed to flow from any part of the site, such as driveways and paved areas, on to the highway or in to the highway drainage system, or be allowed to accumulate in such a way as to affect the highway surface or structure.
3. This authorisation does not give consent, either express or implied, to execute work on private land which may exist between the property referred to above and the highway boundary, and which may be in the ownership of a third party
4. In the event that construction of the access requires alteration to street furniture you **must** make separate enquiries of the appropriate Authority (e.g. Highways Authority for street lighting columns and/or Road signs; British Telecom for telephone kiosks; Royal Mail for Post Box's etc)
5. The works must be carried out strictly in accordance with the plans attached to this consent as approved by the local authority.
6. All the works to which the consent refer must be completed to base course level in the footway areas within the street, to the satisfaction of the Highway Authority, prior to any works being carried out in the development site.
7. For the purpose of Section 86 of the New Roads and Street Works Act 1991, works carried out in exercise of the powers conferred by Section 184 of the Highways Act 1980 are regarded as "major highway works". Thus the applicant must notify the Statutory Undertakers of the proposed works in accordance with Sections 84 and 85 of the New Road and Street Works Act 1991 and to comply with any conditions or requirements imposed by them. The procedures are prescribed in the 'Highway Authority and Utilities Committee' (HAUC): Code of Practice for Diversionary Works which is available from HMSO book shops. It should be noted that these procedures can take up to a maximum of 12 weeks depending on the complexity of the works envisaged.
8. Notice must be given of the intended starting date to the Road Space Manager, Streetscene using the FORM N notice which will be enclosed with the consent. If the work is to take place in a Street, which is subject to 'special conditions', the applicant must comply with the directions given by the Highway Authority (Note: the Highway Authority will advise on any special conditions which may include "Traffic Sensitive" streets).
9. The Licensee shall regulate the works so as to minimise obstruction to vehicular and pedestrian traffic and shall guard the works in accordance with Chapter 8 of the Traffic Signs Manual 2009 published by TSO and the Safety at Street Works and Road Works Code of Practice 2001 which gives specific guidelines on the safe signing, lighting and guarding of temporary works on the Highway, as required by Section 65 of the New Roads and Street Works Act, 1991. The works area shall be maintained and kept clean and tidy throughout the duration of the works.

The Licensee shall not interfere with any drain, culvert, gully, bridge, wall or other structure without the specific consent of the highway Authority.

Please contact the Road Space Manager at Flintshire County Council for assistance if Traffic Lights or a Road Closure is required. Telephone number is 01352 704810.



10. Proof of Street Works Accreditation (Copy of both sides of Supervisor & Operatives SWQR cards). An accredited supervisor must supervise the work, and at least one accredited operative must be on site at all times when the works are in progress.
11. The attention of the applicant is drawn to the requirements of Health and Safety at Work Act, 1974. All excavation work carried out under this consent must comply with the safe digging practices detailed in the Health and Safety Executive's Guidance Note "HS(G)47 Avoiding danger from underground services". A copy of the applicant's intended Contractors written Safety Policy and statement shall be submitted on request.
12. The applicant will be responsible for ascertaining the location of any apparatus prior to carrying out excavation on site. Any information provided by the Highway Authority is given for general guidance only on the understanding that it is based on the best available information and the applicant should not rely solely upon such information where excavation or other works are to be made in the vicinity of apparatus in the Street.
13. The applicant shall take full responsibility for the setting out of the works and for the accuracy, stability and the safety of his operations.
14. The applicant shall indemnify and keep indemnified the Council against all actions, proceedings, claims, demands, costs, damages and expenses which may be levied brought or made against it by reasons of any works which are carried out under this consent. Such indemnity shall be for a minimum of £5 million in respect of any one claim. The applicant shall produce a valid Insurance Certificate with this application and retain such for inspection by the Highway Authority at any time.
15. The applicant must ensure that surplus material from the site to which this consent relates, is deposited at sites which are licensed under current waste disposal legislation and shall be subject to the terms and conditions imposed in that licensing. The applicant shall produce a list of the sites where he intends to deposit waste material and copies of transfer tickets if required to do so at any time by the Highway Authority.
16. Mud and other material should not be allowed to spread from the site onto the road or footway but any contamination must be cleared immediately. Failure to comply with any subsequent notice served by the Highway Authority may result in it carrying out necessary remedial works and the costs incurred being charged to the applicant.
17. No material shall be placed so as to impede the flow of water to a gully or drainage channel or obstruct access to any manhole or the apparatus of any Statutory Undertaker. Any material which enters the highway drainage system must be removed within 24 hours. Failure to do so may result in the Highway Authority arranging for any necessary remedial works with any costs incurred charged to the applicant.
18. The applicant is to allow the Highway Authority the opportunity to inspect, at all times, the works and shall revise the method of operation where this is deemed to adversely affect the highway.
19. This consent does not override any requirement on the applicant to obtain other consents, licenses or permissions which may be necessary.
20. The applicant must obtain, complete and submit FORM R1 to the Road Space Manager, Streetscene within ten days of completion of the works.
21. The applicant is to maintain, at his own expense, the whole completed surfaced area of the works within the highway to the satisfaction of the Highway Authority for a minimum period of 2 years. This two-year period shall commence as stipulated in FORM R1. The guarantee period will only commence upon the works being completed to the standard approved by the Highway Authority.