Dropped Crossing

Policy and Application Process
What is a dropped crossing and why do I need one?

A dropped crossing or kerb is an area of lowered pavement and kerb which is used to give access to vehicles from the highway across the footway and onto the resident’s driveway / hard-standing. Under The Highways Act 1980 it is an offence to drive over the public footway without an approved dropped crossing. This is for several reasons including the following:

- Pedestrian footways are not constructed to take the weight of a vehicle.
- Damage may be caused to utility apparatus which is situated beneath the surface.
- Damage may be caused to the highway verge or flags along the kerb edge.

If any of the following were to occur due to a vehicle crossing the footway without a dropped kerb in place, the resident crossing the footway would be liable for the cost of repair.

Who can apply for a dropped crossing?

Anyone can apply for a dropped crossing, provided that the reason for the crossing is to park a vehicle on your property and that you are the owner of the property. If you are not the property owner, a permission letter will need to be sent from the owner/landlord along with your application form.

Do I need planning permission?

Any dropped crossings on classified A roads will need to obtain planning permission before applying – see below for contact details. The Streetworks team will only accept an application on an A road once planning permission has been granted and you will need to provide your planning reference number with your application.

Please note that hard paving frontages over 5 square metres may need planning permission. Please visit the links below for further information:

https://www.planningportal.co.uk/info/200130/common_projects/45/paving_your_front_garden
https://www.planningportal.co.uk/info/200130/common_projects/44/patio_and_driveway

How much does the whole process cost?

The initial application fee is £105 at the time of application. This covers our administration costs, as well as a site visit with one of our Streetworks Inspectors prior to the crossing being installed and is non-refundable. This fee also covers the Inspector carrying out a final site visit once all the work has been completed to check it has been carried out to the correct specification.

If planning permission is required there is an additional application fee of £172.

The total fee for the whole process will vary with each application, depending on circumstances such as drainage, moving street furniture, width of dropped crossing etc, so these should all be taken into account beforehand.

A very approximate figure for a crossing which requires none of the additional works listed above and which does not require planning permission would be £750 - £1500.

What will be considered when processing my application?

Once you have applied, a Street Works Inspector will need to conduct a site visit prior to any work taking place to assess whether you are eligible for a dropped crossing.
The Inspector will take into account aspects such as the location of the crossing, distance from road junctions, proximity to bus stops or schools in the immediate vicinity, blind bends, gradient of footway etc. If a crossing is deemed unfeasible from a construction perspective or unsafe from a road safety perspective, your application may be rejected.

The Inspector will also advise whether any highways trees or street furniture such as street lights may need to be moved (the cost of which will be payable by you) and how many kerb flags you are permitted to lower (Calderdale Council aim to work to a standard specification of 3 drops 2 tapers).

Will I need permission from anyone else?

If the dropped kerb will cross over a grass verge or land which is not owned or maintained by Calderdale Council (i.e. Together Housing), you will need to contact the owner for permission to cross the verge/land before we can approve your application. If this is required, our Inspector will advise you of this during his site visit.

If my application is approved, what happens next?

If your application is approved, you are permitted to go ahead with lowering the kerb provided any conditions outlined by the Inspector have been adhered to. The Inspector will leave you with a list of accredited contractors’ details who can carry out the work. Calderdale Council do not carry out the work to lower the kerb - the work must be done by an independent contractor who is fully accredited under the New Road and Street Works Act to work on the public highway.

If my application is rejected, what happens next?

If your application is rejected, you will be contacted directly and the full reasons for this explained to you. You have the right to appeal this decision via the Calderdale Council Complaints procedure. If you appeal, your application will be passed to another officer or engineer within our Highways department for a second opinion.

How do I apply?

Please complete the attached application form and return by post or email to the address on the form. To pay by cheque you will need to enclose your application form and cheque together (made payable to Calderdale MBC). If you have specified card payment you will need to call the number on the form. We advise you call to make payment 1-2 working days after submitting your form to allow us time to review and log your application.

Can they be legally enforced?

Dropped crossings can be enforced by our Civil Enforcement Officers (CEOs) but only at the resident’s request; you will need to contact our Parking Services team directly (see below for contact details) to request this. Following your enforcement request, CEOs will be able to issue a Penalty Charge Notice (PCN) to any vehicles parking across the dropped kerb when they are in the area. Please note they do not have the power to move on parked vehicles - if a vehicle is causing an immediate obstruction to your access you should contact the Police on their non-emergency number (101).

You may wish to apply for a white H marking after the kerb has been dropped. This is an advisory marking to show motorists there is a dropped kerb in place and they should not park in front of it. The cost of installing the H marking will be payable by you. You should contact our Traffic team directly (see below for contact details) should you wish to apply for a H marking after you have installed a dropped crossing.
Useful contacts

Streetworks Team:  
streetworksandenforcement@calderdale.gov.uk  
01422 288002 – Monday to Friday, 9am to 5pm

Planning permission:  
planning.applications@calderdale.gov.uk  
01422 392237 – Monday to Friday, 9am to 5pm

Parking Services:  
parking@calderdale.gov.uk  
01422 392171 – Monday to Friday, 9am to 5pm

Traffic Team:  
traffic@calderdale.gov.uk  
01422 288002 – Monday to Friday, 9am to 5pm
HIGHWAY ACT 1980 – SECTION 184
VEHICLE CROSSING ON THE ADOPTED HIGHWAY

To process an application for a vehicle crossing, a site meeting is required with a Streetworks Inspector. A fee of £105.00 (no VAT) is payable at the time of application to cover the cost of administration, a site meeting and subsequent inspections of the vehicle crossing, and is non-refundable.

The property owner must complete the application form. If the property is rented then written permission is required from the property owner and a copy of the letter submitted on application. Please complete the details below and return to the above address, or to streetworksandenforcement@calderdale.gov.uk.

A site meeting will then be arranged with a Streetworks Inspector. Please also be aware that the application is only valid for 12 months from the date of approval by our inspector.

Any works undertaken in the public highway must be carried out by a Streetworks accredited contractor and all certifications verified by Calderdale MBC.

If you require any further information in relation to the application do not hesitate to contact us.

It is important to note that full height kerbs offer a barrier to surface water and that dropping the kerb could result in an unexpected flood risk. You should consider this risk, not only to your own property but to your neighbours as well.

Please note; by signing this document you agree that you have read and understand the drop crossing policy, and agree to comply with the policies and rules contained.
Strategic Infrastructure privacy notice

Calderdale Council is registered with the information Commissioners Office (ICO) under the provisions of the Data Protection Act 2018. The Council takes its responsibilities under the Act very seriously.

The information provided by you is collected purely for the purposes of responding to your request for service in relation to highways maintenance and improvement. We need to collect this information in order to contact you, if required, to request further information or provide you with the outcome of your request. Completion of this form/sharing of your information constitutes explicit consent from you to us to process your data for this purpose. You may withdraw your consent at any time by writing to: Helen Martin, Performance Manager, Highways & Transportation, Ainley Depot, Huddersfield Road, Elland HX5 9JR. In addition you have the right to see what information is held about you, to have inaccurate information removed from our system unless we are required by law or statutory purpose to keep it and the right to complain to the Data Protection Officer if you feel that your data has not been handled in accordance with the law.

The Councils Data Protection Officer is Tracie Robinson and can be contacted at information_management@calderdale.gov.uk

Your name and contact details are recorded electronically on our system to maintain up to date records. This information will be kept for a maximum of six years after the year the record was created or until such time as the data is reviewed by us or removed at your request.