



Hertfordshire County Council Growth and Environment

Residential Dropped Kerbs Policy

Introduction

You must read this policy carefully **before** completing your application. Do not apply for a dropped kerb until you have read this policy.

This will help you to understand the policy which will be applied to obtain legal approval from us for the construction of a dropped kerb across a public pavement and/or verge.

We will not approve applications that will result in access across large areas of amenity grass where the loss of large green spaces will have a detrimental impact on the street scene and general amenity of the area. The officer's assessment and decision will be final.

A dropped kerb provides a legal way for you to access your property 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. The dropped kerb must not be used by non-domestic large vehicles over the weight of 3.5 tonnes. You must not park on the dropped kerb or allow your vehicle to overhang the road/pavement.

We have tried to provide information in this document about the issues that we consider when assessing applications. Every site is different and will be assessed individually against the current policy. Highway safety will always be the main consideration. Older, historic dropped kerbs do not set a precedent. Just because your neighbour has a dropped kerb doesn't necessarily mean that your application will be successful. We don't consider dropped kerbs that are already in existence as we normally do not know the circumstances under which they were built.

Legal Considerations

You are not allowed, under the Highways Act 1980, to drive over a pavement or verge unless a dropped kerb has been approved and installed by us. If you drive over the pavement or verge without an approved dropped kerb, you may damage the pavement or verge or any pipes/cables underneath it. You may be held liable for any damage.

Planning Considerations

Planning permission is normally needed if:

- a) the dropped kerb is off a classified road (A, B or C road)
- b) the dropped kerb is to a commercial site, flats or maisonettes

Even if you already have a dropped kerb but want to make alterations to it such as widening, you may still need planning permission. If you are not sure, it is **your** responsibility to check with your local planning department if you need planning permission or not. You **must** get any planning permissions **before** we can accept your application. You will need to provide copies when you apply.

You can check whether your road is classified using the link below:

[Gazetteer of adopted roads | Hertfordshire County Council](#)

Some unclassified roads may also need planning permission. You may also need planning permission if you are building a new driveway on your property or extending an existing one. If you are uncertain whether planning permission is needed, you should **always** check with your local planning department first.

Welwyn Garden City or Letchworth Garden City

If you live in Welwyn Garden City, you must get Estate Management consent from Welwyn Hatfield Council. If your property is on a long leasehold, or was previously owned by the council, there may be covenants contained within your conveyance. This is unrelated to the Estate Management Scheme and you may require additional consent before carrying out any works. It is recommended that you contact estatesteam@welhat.gov.uk to clarify the position.

If you live in Letchworth Garden City, you must get any necessary permission from Letchworth Garden City Heritage Foundation (LGCHF) to construct a driveway in your front garden.

It is your responsibility to check if any permissions are needed and to provide copies of them with your application. If you do not provide copies, your application will not be processed.

Developers

If the dropped kerb is required as part of a development of more than one property, you can't apply using this process. You should visit:

[Highways Development Management | Hertfordshire County Council](#)

Private Roads

This process is only for roads that are maintained by Hertfordshire County Council. If you live on a private road, you cannot apply.

Do you have consent from the landowner?

If you are a tenant, you must get approval from the landowner first. Also, in some locations there may be a gap between the highway boundary and the boundary of the property. In these locations, you will need to provide evidence that you have approval from the landowner. This land may be manorial waste but it is more common that it belongs to the district/borough council as amenity green. It could also belong to this council as land bought and reserved for road widening.

It is your responsibility to check whether you require any other permission and to get any approvals before you apply.

The driveway where you will park your car must be entirely on your own property and must not affect or obstruct the pavement or road.

Things you should consider before making an application

We will charge an initial fee to assess your application. If you change your mind, you can cancel if you tell us in writing no longer than 14 calendar days after the day on which you paid the fee. This is called the cooling off period under the Consumer Contracts Regulations. We will refund the assessment fee in full. ***After the expiry of the cooling off period, this fee is non-refundable.*** Our assessment of your application will not begin until the cooling off period has ended. The list below tells you what we will consider when assessing your application:

- The depth of your driveway/hardstanding **must** be a minimum of 5 metres. This is to ensure that there is enough space to prevent a vehicle from overhanging the pavement. The width of your driveway **must** be a minimum of 2.7 metres. We will also take account of any projections on your property such as bay windows, door shelters, utility cabinets or electric vehicle charging units when deciding if you have enough space. If you are considering installing an electric vehicle charging unit, please consider its location carefully as it may affect the depth of driveway/hardstanding that is available.

- We will presume that you want perpendicular parking. If you want to park parallel to your property you **must** have a minimum parking area/hardstanding of 9.6m width by 3.5m depth. This is to ensure that you have enough space to safely manoeuvre your vehicle across the pavement. If there is a pavement and verge in front of your property it is likely that we will refuse parallel parking for safety reasons. The assessing officer's decision will be final.
- The gradient (slope) of the driveway or parking area inside your property or the proposed dropped kerb itself **must** not be steeper than 1 in 10 (10%). Gradients steeper than this will not be approved on safety grounds as vehicles may lose control in adverse weather, it may cause your vehicle to ground and it may be unsafe for pedestrians using the pavement.
- The position of the proposed access **must** be at least 10 metres away from a road junction that is on the left or right. The assessing officer may increase this up to 15m taking into account the highway layout, use and infrastructure in place. A dropped kerb too close to a junction can result in vehicles using the junction coming into conflict with vehicles using the access. The assessing officer's decision is final.
- Your proposed dropped kerb should not affect the operation of traffic lights or a pedestrian crossing and you must be able to see the signal head from your vehicle. Safety of the highway will always be a consideration and applications will be refused if it is considered that safety will be compromised.
- If there is a designated layby or marked bay at the proposed access point, the application will be refused. This is because it will result in the loss of designated parking for the public. We may allow a dropped kerb through an informal parking area provided that the assessing officer considers that it will be safe.
- If the proposed dropped kerb is within a Controlled Parking Zone, you will need to consult with and obtain any relevant permission from your District/Borough Council. If the traffic regulation order needs to be amended to accommodate the dropped kerb, you will be responsible for applying for the change to the district/borough council and for any associated costs that you are charged by them. We can still assess your application in these cases and provide a decision in principle subject to your discussions with the District/Borough Council. You will need to provide us with evidence of the response from the district/borough council.
- We do not remove well established/healthy highway trees or any other highway vegetation for the installation of dropped kerbs. We may allow construction within the root protection area of a tree using a hand digging method. This will require an assessment by one of our tree officers. It will delay your application and you will have to pay the cost

of the assessment in advance. We will not undertake any hand digging within a prohibited zone of 2m around the stem of the tree. We will not approve hand digging around trees with a Tree Preservation Order (TPO) or in conservation areas.

- We do not move bus stops to install dropped kerbs. In some cases, a resident may have obtained planning permission which includes the moving of the stop. We will only move a bus stop in these cases.
- We always consider the visibility at the point of access to ensure that pedestrians and vehicles can be clearly seen when entering or exiting the property. If, in the opinion of the assessing officer, visibility will be affected, your application will be refused.
- If you live on a fast road (with a speed limit of 40 mph or more), your application will *only* be approved if there is enough space within the boundary of your property to turn a vehicle around through 180 degrees. This is so that you do not reverse on or off the road. If you do not have enough space your application will be refused.
- For a new dropped kerb, you will get a maximum of 4 flat kerbs (3.6m). You will also get one or two ramped kerbs depending on your property. We will not install any more than 4 flat kerbs for a single property. A double dropped kerb which serves two properties will get 6 flat kerbs. Please do not apply for a dropped kerb wider than this as it will be refused.
- We do not provide second dropped kerbs. This is because every access point on a property is a potential point of conflict between people and cars. Access points are limited to one per property. If you currently have use of a driveway and/or garage with associated dropped kerb on or immediately next to your property you will be deemed to have an existing dropped kerb.
- If the property already has a dropped kerb, we will only extend the existing access up to a maximum of four flat kerbs which equals 3.6m. Dropped kerbs will be no wider than four flat kerbs. This is the widest dropped kerb that we will allow. You will also be provided with one or two ramped kerbs depending on your property. Please do not apply for a dropped kerb wider than this as it will be refused. We will refuse applications for widened dropped kerbs if it will result in the loss of on-street parking provision. At some properties, due to engineering difficulties, we may have to provide slightly more than the maximum. This does not set a precedent.
- In some cases, there may be a utility cover, cabinet or other street furniture at the location of the proposed dropped kerb. We may be able to alter the cover as part of our works, but this is not always possible. We cannot relocate cabinets. If we cannot alter the cover or the

cabinet or street furniture needs relocating, we will let you know and give you an “in principle” decision for the dropped kerb. You will then be responsible for contacting the utility company to ask them to alter the cover or move the cabinet. The utility company may refuse to do the works in which case we cannot proceed with your application and your application fee will be non-refundable. If the utility company agree to alter the cover or move the cabinet, you will have to bear all additional costs associated with these works. You should be aware that these costs can be considerable.

Dropped Kerb Process

Application

You must read this policy carefully and obtain any permissions that are necessary. **Do not apply until you have done this.**

Once you have done this, you can submit your application form online – <https://www.hertfordshire.gov.uk/services/Highways-roads-and-pavements/Changes-to-your-road/Dropped-kerbs/Dropped-kerbs.aspx>

You will need to create an account. If you already have an account with us, you can use this. You must complete the application form fully. Applications that are incomplete will not be processed.

We prefer you to apply online. If you can't, you can ask the dropped kerbs team for a paper application form – droppedkerbs@hertfordshire.gov.uk

You must provide a plan with your application showing where you want the dropped kerb to be built. This plan helps us to assess your application. It must be good quality to help the officer to make an accurate assessment. Poor quality plans will be returned to you and your application will be placed on hold. You will be asked to submit a new plan.

Exceptional circumstances

If there are any exceptional circumstances that you would like us to consider, please tell us about these in your application. Where it is safe to do so, we may be able to exercise discretion to consider these exceptional circumstances to meet our public sector equality duty under the Equalities Act 2010.

Assessment

Once you have completed your application, we have received the assessment fee and the cooling off period has ended, we will assess your application. We may contact you for more information. We will aim to complete the assessment and issue the decision within 6-8 weeks. *Our timescales do change from time to time. You should check our website for current*

timescales.

We will email you to tell you the outcome. If your application has been refused, we will tell you why. If you change your mind after the officer has visited the site or after the decision has been issued and submit a different proposal, you will need to apply again and pay a new assessment fee.

If your application has been approved, we will send you a quotation and a drawing/photograph showing the proposed works. You must check the drawing carefully before paying the quotation. Once you have paid the quotation, you will be deemed to have accepted it. Please do not pay the quotation until you are happy that this is what you have asked for. If you are unclear about what is being proposed, please ask the dropped kerbs team for clarification before paying the quotation.

In some cases, either before or during the works, we may encounter unforeseen circumstances. This may affect the way that we plan to do the work and may increase the cost of the dropped kerb. If this happens, we will tell you as soon as we are aware and tell you how much the extra work will cost. If the extra work involves utility equipment, you will be responsible for organising these directly with the utility company. Any additional costs will need to be paid by you.

Construction

Our current timescale* for construction works is up to 12-14 weeks after you paid the quotation. About one week before we plan to construct your dropped kerb, we will tell you in writing when the works are due to start.

By this time, all works to your driveway must be complete. All concrete edgings must be in place and any obstructions such as hedges/fences etc. on your property must be removed. Our contractor will not start the works if your works are not complete. This is likely to delay our works.

Works are weather dependent. The work will happen in three phases over approximately one week. The contractor may do some of the works and then leave the site. This is normal because they will plan the works to make best use of resources and materials. They will return to complete the works. If you already have parking, access to your property may be affected during the works and you should take this into account. The contractor may leave the signs and barriers in place for an additional time to ensure that the surface has hardened.

To carry out the works, the contractor will need access to your front garden or your driveway. The contractor will take all reasonable care during the construction of the dropped kerb.

****The timescales do change from time to time. You should check our website for the current timescales.***

Frequently Asked Questions

Q1. What is a dropped kerb?

The kerbs are lowered so that you can drive your car over the pavement or verge to your property. A dropped kerb can be at the side, front or rear of your property and normally leads to a garage or driveway.

If you already have a dropped kerb you can apply to relocate it to a different location on your property. The different location must meet the policy and you will have to pay for all costs including reinstating the old dropped kerb and installing the new dropped kerb. Your old dropped kerb can no longer be used. You can also apply for a widened dropped kerb. In all cases, applications must meet this policy.

If you already have a dropped kerb, we will refuse an application for a wider dropped kerb that will result in the loss of on-street parking.

The dropped kerb remains part of the public highway and our responsibility. You are paying for the ability to drive your vehicle over the pavement/verge to access your property.

Q2. How much does it cost?

You can use our online estimate tool free of charge to obtain an idea of the cost. Please remember that this tool only gives an idea of the cost for a standard crossover. Other factors such as traffic management, obstructions and relocation of service covers will increase this estimate. You will only obtain a specific quotation once you have applied and the location has been assessed.

Q3. What is included in the quotation?

The cost depends on the amount of work that needs to be done. It will include the cost to lower the kerbs, strengthen the pavement and resurface the pavement. In some locations, additional works will be required or there may be a need for increased traffic management. This will increase the cost.

The area is dug out to a depth of 230 mm. New kerbing is laid on a bed of concrete and is given time to cure, usually a minimum period of 24 hours. A sub-base consisting of type 1 material is imported and compacted to a depth of 150mm. A base course of tarmac is constructed to a thickness of 60mm with a 20mm wearing course laid on top.

We do not charge VAT.

If you require a breakdown of the quote or a specification of the works, you should request this in writing.

In some cases, either before or during construction, there may be unforeseen circumstances. This may affect the way that we plan to do the work and may increase the cost of the dropped kerb. If this happens, we will tell you as soon as we know and tell you how much the additional work will cost. If the additional work involves equipment belonging to a utility company, you will be responsible for arranging these works directly with the utility company. Any additional costs will need to be paid by you.

Q4. After approval, what if I decide not to proceed immediately?

The approval and quotation is valid for 6 months from the date of issue. If you do not proceed within this time, you will need to reapply and pay a new assessment fee. This is because the quotation/prices may increase during this time, our criteria for assessment may have changed or the circumstances may have changed.

If you have planning permission for the dropped kerb, the planning permission is valid for three years but the quotation is only valid for 6 months. If you decide to go ahead after 6 months, we will review the original quotation which may increase.

Q5. Why can't I use my contractor instead of HCC's contractor?

Hertfordshire County Council is the highway authority. Only we can carry out this type of work using our approved contractor. This is to protect highway users, including yourself, and us against all losses and claims that may arise from carrying out construction works on the highway. We also become responsible for all future maintenance of the dropped kerb.

Q6. Will I need to be involved in the construction works?

No. We make all arrangements for completion of the works. We will give you a letter approximately one week before the start date of the works. You don't need to be present for the works to go ahead although you must make sure there are no obstructions on your property (e.g. fences, hedges or gates) that may stop the work from going ahead. You should complete your own works as soon as possible after you have paid the quotation. You must tell us when your works are complete.

During the works, access to your property (if you already have parking) will be affected and you should take this into account. The contractor may leave the signs and barriers in place for an additional time to ensure that the surface has hardened.

Q7. Should I build my driveway before or after the works?

You must build it before we undertake our works unless we advise you otherwise. However, please do not build your driveway before you get approval and the quotation for the dropped kerb. Our contractor will visit your property before their works to check that you have completed your works.

You should do your works as quickly as possible after you have paid the quotation as any delays to your works may delay ours. If you cannot complete your works, please tell us as soon as possible.

Q8. What happens if I want to change the works start date?

You do not need to be present for the works to go ahead. If you want to be present and want to change the works date, you should tell us as soon as possible. We will try to accommodate you, but this is not always possible as our contractor programmes works in advance. If works are significantly delayed, there may be additional costs incurred which will need to be paid by you.

Q9. What happens if a streetlight or electrical box/cabinet needs to be moved before my dropped kerb is constructed?

We always check to see if any extra work is needed to move or alter equipment in the pavement or verge. It is not always possible to move or alter equipment. For example, we cannot install a dropped kerb within 1 metre of an existing streetlight. If more work is required and we can do this, then you would have to pay the cost of these works. The extra work will be carried out by us before we build the dropped kerb. We will tell you, in advance, if this is the case. Relocation of equipment can often delay the application process and the works.

Q10. What if a service/manhole cover needs to be altered or lowered before my dropped kerb is built?

The quotation will include the cost of adjusting covers where we can do so. If we cannot adjust the cover, we will tell you after the site visit. We will give you an “in principle” decision for the dropped kerb and you will be asked to contact the utility company to seek approval for the alterations. There is no guarantee that the utility company will agree to move or alter the cover. If extra work is required by the utility company, you will need to pay these extra costs and they can be considerable. You will need to arrange these works with the utility company. This is likely to delay the application process and the works.

Q11. My application has been refused because a car would overhang the pavement. I only have a small car which would not overhang the pavement. Why has my application been refused?

We only approve applications if the depth of the driveway is at least 5m (or 3.5m for parallel parking). We don't consider the size of your current vehicle. You may have a small car now, but we need to think about the future. You may buy a larger car or sell the property to another person who drives a larger car. It is illegal for a car to overhang the road/pavement. Your application will be refused if you do not have enough depth.

Q12. Why was my application refused when my neighbour was given

approval for a similar dropped kerb?

We often do not have any records of old, historical dropped kerbs and we do not know the circumstances or rules under which they were built. In some cases, a dropped kerb may have been built in error or built previously by another council. Dropped kerbs that already exist do not set a precedent and we don't take these into account. We assess each application individually and only approve them on the current policy. You can't appeal because of a dropped kerb that you have seen elsewhere.

Q13. What type of surface material should I use for my driveway when I build it?

Driveways over 5 square metres must be constructed from a permeable material. Loose gravel or shingle is not ideal as this may be dragged onto the road/pavement and may cause pedestrians to slip or vehicles to skid. In such cases, liability may fall to you. If you do use loose gravel or shingle, you must install a suitable measure that will prevent material being dragged onto the road/pavement. To view options available to you, please use the link below for advice:

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

Q14. Do I need to install a drainage system when I build my driveway on my property?

It is an offence to discharge any surface water from your driveway onto the pavement/road or into a highway drain. You must ensure that you install adequate drainage to take water away from your driveway so that it does not discharge onto the pavement/road or into a highway drain.

Q15. Can I choose the type of finish material for my dropped kerb?

No. The dropped kerb must be built to current highway standards. These require a minimum construction depth and the use of "tarmac" as it has low maintenance costs. The dropped kerb section may look different to the existing pavement when it is first built because the colour will not match. The material does fade with time. For widened dropped kerbs, the quote will only include the work for the extended section and so the colour of the materials will not match but will fade with time. If you want the entire dropped kerb to be re-laid so that the colour matches then you will need to pay for the additional works. We will presume that you do *not* want this unless you say this when you apply.

Q16. If I apply to the planning authority e.g. Borough/District Council and receive planning permission for a structure e.g. driveway, garage etc does this also mean that the dropped kerb has approval/permission?

No. You will still need to apply to us so that the dropped kerb application can be considered in the usual way. Any proposed alterations to your property or

the internal layout may also require planning consent from your local District/Borough. This is your responsibility to check.

Q17. I have paid the quotation but I don't want to proceed?

If you have paid the quotation, you are entitled to cancel if you tell us no longer than 14 calendar days after the day on which you paid the quotation. You will receive a full refund of the quotation. This is the cooling off period. After the cooling off period, we will consider your request for a refund on a case-by-case basis and will withhold all reasonable costs incurred by us at the time that you cancelled.

Q18. I have an electric vehicle and need the dropped kerb to charge my car on my property.

As a county council, we have a vision to make Hertfordshire cleaner, greener, healthier and more sustainable. We recognise the role of electric vehicles in this. However, whether you have an electric vehicle or not, we will still assess all applications based on this policy. We will not overlook this policy, which is mainly based on highway safety, because you have an electric vehicle.

Q19. What if my application is refused?

We refuse applications because they do not meet the policy and/or for highway safety reasons. All refused applications are reviewed by a senior manager before the refusal is issued.

If your application has been refused, you can appeal, but you will need to set out the reasons in writing why you consider that we have not applied the policy correctly. You will need to appeal within six months of the refusal of your application. After this, we will not consider your appeal. We cannot accept appeals because you do not agree with the policy.

Appeals must be submitted in writing to:

Droppedkerbappeals@hertfordshire.gov.uk

Postal Address:
Highways,
PO Box 153,
Stevenage,
Hertfordshire,
SG1 2ST