

Community Directorate

DRAFT

Vehicle Crossing Policy

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1 Introduction

This Policy provides a framework for vehicle crossings of the highway. Using Section 184 of the Highways Act 1980, the Council has the authority to construct crossings or to require the occupiers of premises to construct vehicle crossings in certain circumstances. A vehicle crossing is where the footway is strengthened to take the weight of up to a light goods vehicle and the kerb is dropped to form a ramp. In exercising this power the Council must have regard to safe access to the premises and the safe passage of vehicles on the highway, as well as the need to prevent damage to a footway or verge. In carrying out its remit, the Council seeks to ensure that there is clarity and consistency around the circumstances under which it will or will not grant permission for vehicle crossings.

There are a number of key considerations influencing this policy. The overriding one is the need to manage vehicle crossings effectively and efficiently. The council will take account of statutory and non-statutory guidance and related Council policies when undertaking vehicle crossing work.

The Corporate Plan 2016-2019, entitled “Harrow Ambition Plan 2020” sets out the council’s vision of “Working together to make a difference for the vulnerable, communities, families and businesses”. The council’s strategy (priorities) to deliver its vision, between now and 2020 is to:

- Build a Better Harrow
- Be more Business-Like and Business Friendly
- Protect the Most Vulnerable and Support Families

The council’s vision and the corporate priorities have been taken into account when developing the vehicle crossing policy. In particular, “Build a Better Harrow” that includes a safe and clean environment. The vehicle crossing policy is crucial to achieving this priority.

2 Highway Safety

Highway safety is a key factor when making a decision on vehicle crossings. Highway safety considerations include proximity to a junction, roundabout, traffic signals, pelican or other pedestrian crossings, or where there is inadequate visibility. Other site characteristics will also be taken into account, such as volume of traffic, width of carriageway, existing service roads, footway and/or verge. In these cases the expert advice of the Council’s Planning Transportation Unit will be sought.

3 Property Dimensions

The required dimensions for vehicle crossings are set out in the paragraphs that follow.

4 Front of Property Dimension Requirements

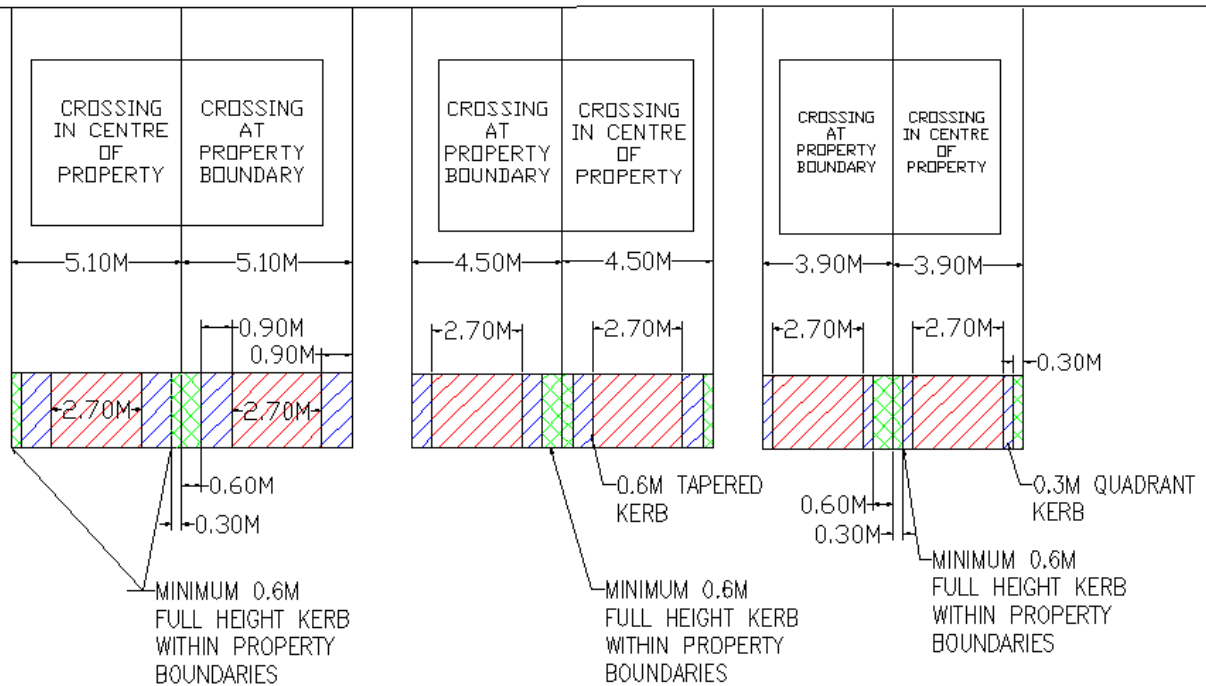
In order to accommodate a vehicle, based on size and turning characteristics of a ‘standard’ car, the property frontage must have the following dimensions:

- The minimum required clear depth from front of building to back of footway is 4.8m.
- The minimum required width of property frontage (for a 2.7m wide single crossing with two 0.9m tapered kerbs) is 5.1m.
- The minimum required width of property frontage (for a 2.7m wide crossing adjoining an adjacent crossing with one 0.9m tapered kerb) is 4.5m

- In situations where it is not possible to provide 2.7m section of lowered kerb with 0.9m tapered kerb, the use of 0.6m tapered kerb will be permissible. Only in situations where it is not possible to provide the 0.9m or 0.6m tapered kerbs, the use of 0.3m quadrant kerb will be permissible.
- The table and diagram below sets out the minimum widths of property frontage required to permit construction of a standard single or shared crossing when the depth of property frontage is 4.8m or over.

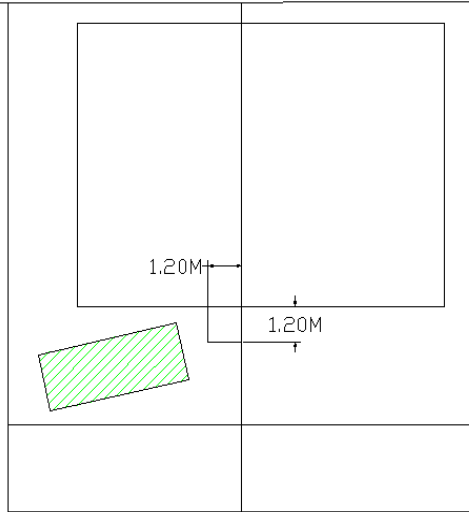
	Desirable Minimum using 0.9m tapered kerb	Acceptable Minimum using 0.6m tapered kerb	Absolute Minimum using 0.3m quadrant kerb
Minimum width of property frontage required for single crossing	5.1m	4.5m	3.9m
Minimum width of property frontage required for shared crossing	4.5m	3.9m	3.6m

VEHICLE CROSSINGS – VARIOUS DESIGNS WITH MINIMUM OF 0.6M FULL HEIGHT KERB WITHIN PROPERTY BOUNDARY



Where the depth of property frontage is less than 4.8m, it may be still be possible to provide a vehicle crossing. This is only permitted where a hard standing area of 5m x 2m can be provided within the property boundary which can be accessed without the vehicle driving across any part of the footway and does not obstruct emergency access from the main entrance to the property and a permeable area of 25% can also be maintained. There must also be an unobstructed area in front of the main entrance to the property of 1.2m x 1.2m. In this scenario the design of the hard standing layout will need approval from the highways officer and may require the construction of a boundary wall to protect the footway. Example below.

VEHICLE CROSSINGS – 5m x 2m Bay within property boundary with 1.2m x 1.2m clear access by front door



Where properties are arranged in a radial formation (the frontage of the property narrows towards the highway), a minimum frontage dimension (adjoining the highway) of 3m will be acceptable provided the minimum frontage width at the rear of the hard standing is 3.9m.

5 Vehicle Crossing Dimensions

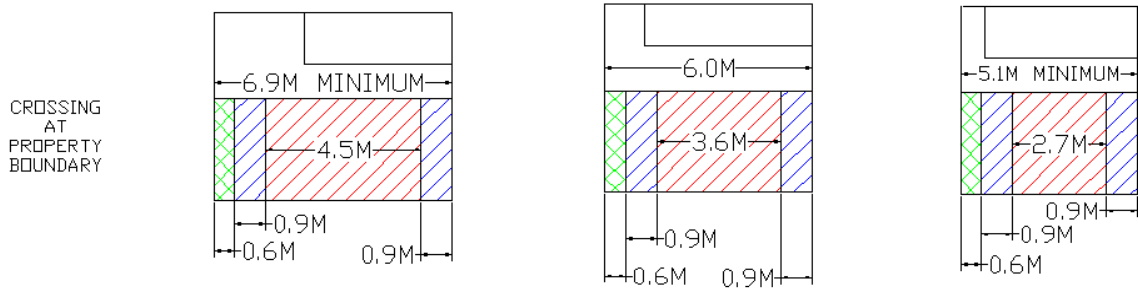
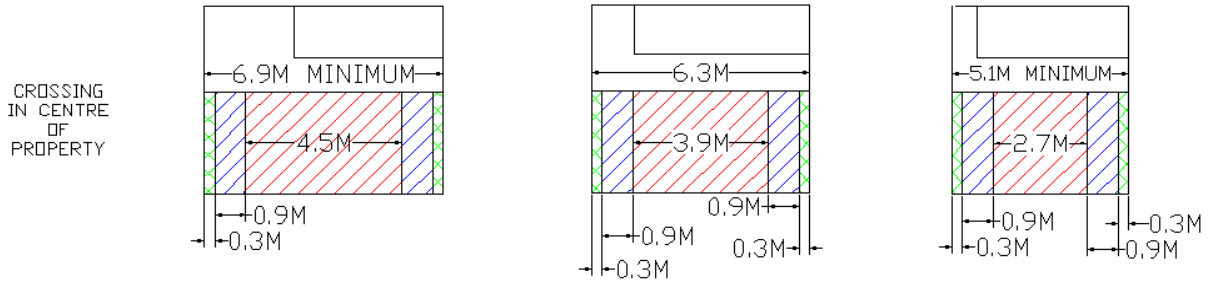
The width of a crossing and its position relative to the frontage of the property may be influenced by a number of factors such as widths of carriageway, footway and/or verge, and the width and depth of the area available for parking. In general the width of a crossing is limited to that necessary to facilitate its proper use. The requirements are as follows:

- The minimum section of lowered kerb permissible is 2.7m
- The maximum section of lowered kerb permissible is width of property less 2.4m for single crossings or 1.5m for shared crossings, up to a maximum of 4.5m. See Table and diagrams
- Where grass verges or planted areas are to be removed, the maximum permitted section of lowered kerb is 3.6m.
- The use of 0.6m tapered kerbs or 0.3m quadrant kerbs is not permitted on crossings when the proposed section of lowered kerb will exceed 3m.

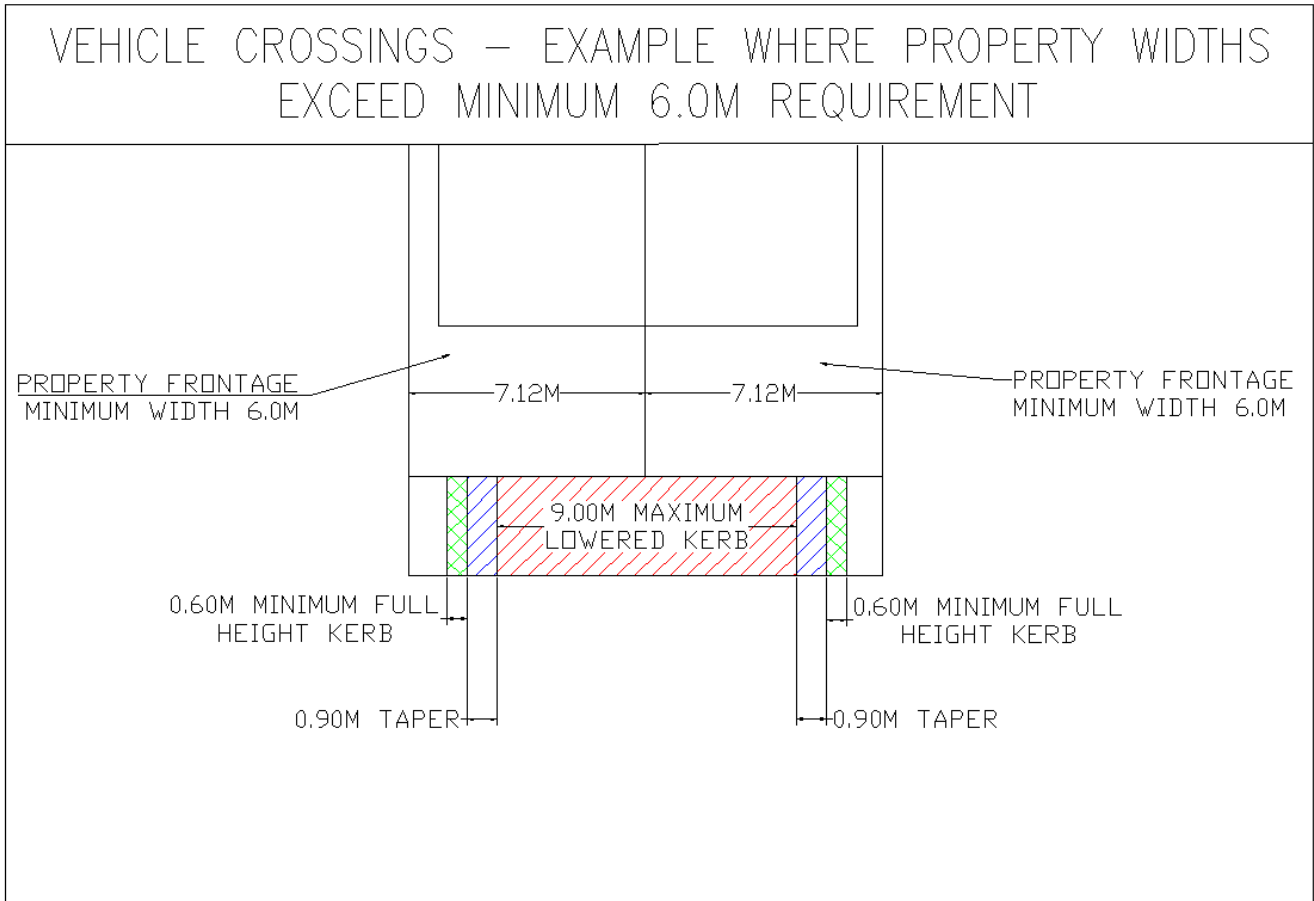
Single Crossing	Property frontage width <6.9m	Property frontage width <5.1m - >6.9m	Grass/ planted verge to be removed
Maximum possible section of lowered kerb permitted	4.5m	Width of property frontage less	3.6m

		2.4m	
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VEHICLE CROSSINGS – VARIOUS DESIGNS WITH MINIMUM OF 0.6M FULL HEIGHT KERB WITHIN PROPERTY BOUNDARY



Shared Crossing	Property frontage width <6.0m	Property frontage width <4.5m - >6m	Grass/ planted verge to be removed
Maximum possible section of lowered kerb permitted	4.5m	Width of property less 1.5m	3.6m



In order to protect the structural integrity of the footway, the existing footway materials and apparatus (e.g. manholes/access chambers) will also influence the width of crossing permissible.

Existing footway material design	Paving slabs	Modular/block paving	Tarmac/Concrete
Incremental measurements for calculating width of crossing	0.6m	0.4m	N/A

6 Widening of existing crossings

Subject to all criteria, an existing crossing may be widened up to a maximum overall width of 4.5m of lowered kerb.

7 Minimum spacing between crossings

To ensure pedestrian safety, it is not permissible to construct more than two adjoining vehicle crossings.

A minimum length of 0.6m full height kerb must be maintained between the top of the tapered or quadrant kerbs between two crossings.

8 Hard standing Controls

The applicant must arrange for and have installed a suitable surface within the property frontage prior to construction of the vehicle crossing. In order to protect the Borough's character and for environmental sustainability reasons the Council actively encourages careful planning of the hard standing construction. The proposal should minimise any negative impact and maximise positive impact.

Where the hard standing involves the removal of soft landscaping within the property frontage, the applicant should arrange to keep the hard surface to a minimum (landscaped where feasible and practical). This can be achieved by creating paved tracks wide enough to accommodate the car wheels.

In all cases the frontage area should consist of a minimum of 25% (one quarter) soft landscaping or permeable material. Materials will not be considered permeable where bedded on an impermeable base (e.g. concrete). The hard standing must tie-in flush to the back of footway level (where the property boundary and highway boundary meet). Hard standings constructed using 'un bound' gravel or similar surfaces must also include a 1m depth of hard standing apron adjacent to the highway to prevent unbound material being deposited onto the highway. In order to prevent future damage to the footway Harrow Council can insist on the construction of a garden wall (minimum height 0.4m) adjacent to the highway boundary to prevent driving over. The extent of the wall will be determined by the highway engineer.

Any additional costs to repair or in the making good of the highway required as a result of the construction of the hard standing will be the responsibility of the applicant and must be paid prior to the construction of the vehicle crossing.

9 Drainage

The applicant/ property owner must provide suitable drainage to prevent surface water discharging onto the highway prior to the construction of the crossing.

Enforcement of this requirement is possible under section 163 of the Highways Act (1980). In situations where an area of no permeable hard standing is proposed, the surface water must discharge into an area of soft landscaping. Where this is not possible a drainage channel must be provided at the property boundary to discharge surface water into an area of soft landscaping. The discharging of the surface water must be managed by means of a soakaway system and must not be connected to the property's existing drainage.

10 Street Furniture/Lining

The position of street furniture and utility company plant may affect the location of a vehicle crossing. If necessary and in certain circumstances these can be re-sited, at the applicant's expense. Council street furniture includes lamp columns, sign posts, nameplates etc. and if relocation is deemed possible the applicant must bear the full cost of the relocation of any furniture, relocation of any existing furniture and any additional furniture required to redress any in-balance. With utility plant the applicant should approach the relevant company direct and agree with them if relocation is possible.

A minimum clearance distance of 0.6m must be maintained between the top of the taper/quadrant kerb and any item of street furniture. Relocation of street furniture should take into account the impact on neighbouring properties and, where practicable, allow for future crossing construction. The use of 0.6m tapered kerbs or 0.3m quadrant kerbs is not

permitted on crossings when the proposed section of lowered kerb will exceed 3m. Any additional street furniture required to protect the highway as a result of constructing a vehicle crossing will be at the expense of the applicant.

11 Vehicle access protection road markings

The Council has now changed its policy regarding the provision of advisory access protection markings. Previously the council provided these road markings (also known as an H-bar) in front of a driveway to indicate an access to ten or more properties or to premises accessed by disabled drivers. These markings were designed to make motorists more aware of a dropped kerb or vehicular access point in that section of road. They are advisory road markings and have no legal status and are therefore frequently disregarded by motorists.

The need therefore for vehicle access protection markings has diminished considerably and so following discussions with the Portfolio Holder for Environment it was agreed that the council will no longer use these markings in the future. This is because under the Traffic Management Act 2004 it is an offence to park in front of dropped kerbs if a vehicle blocks a driveway. A resident can request that parking enforcement action be taken by the Council's Parking Operations Team and an enforcement officer will then visit the site and issue a Penalty Charge Notice for the offence.

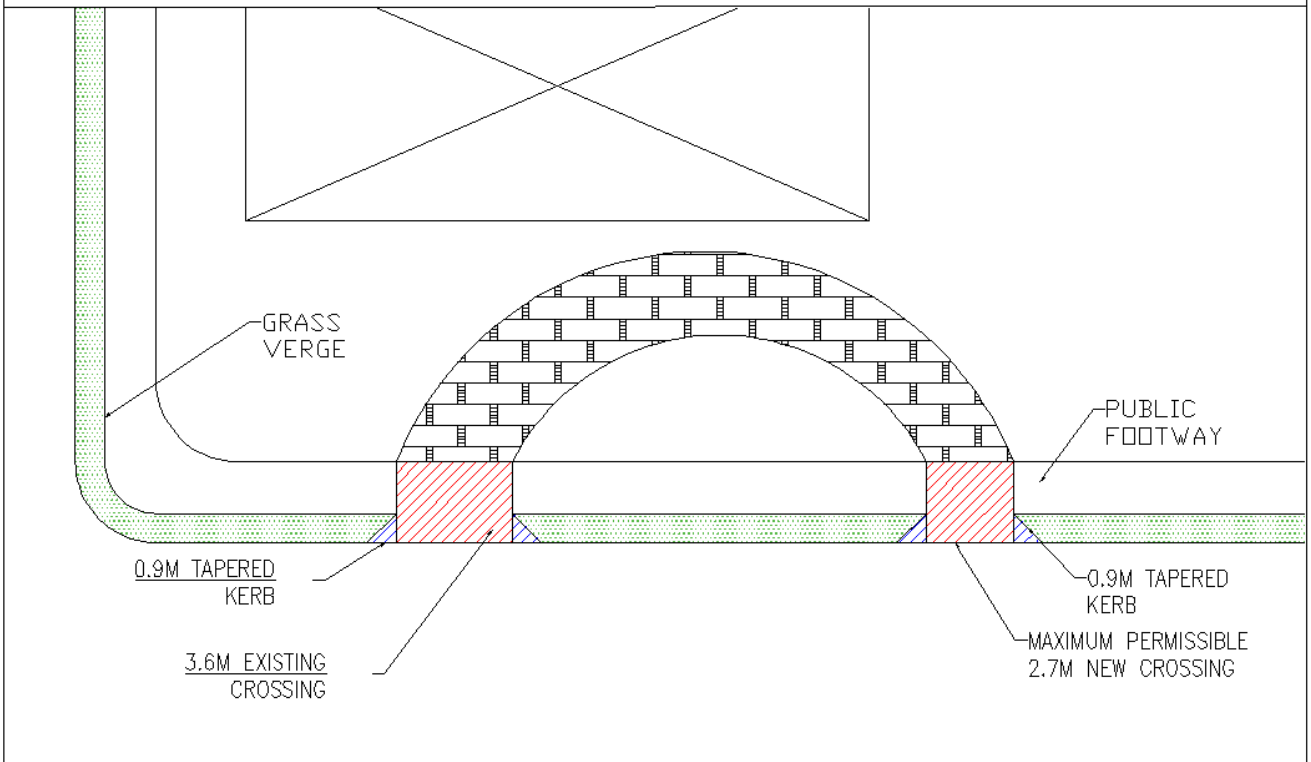
Any existing H Bar marking currently on the highway will be allowed to fade and will not be replaced. Where road resurfacing schemes are undertaken in the future residents will be advised that these markings will not be replaced.

12 Second Crossings

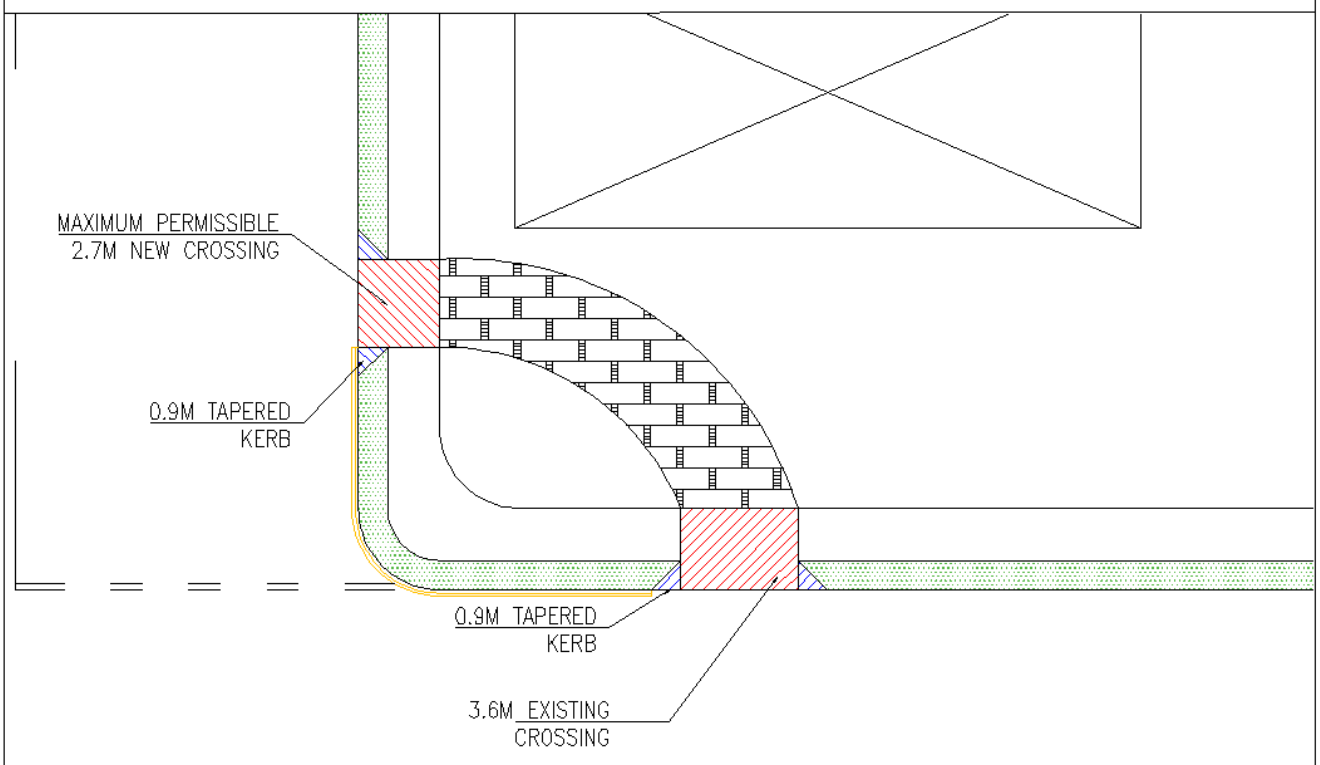
The maximum section of lowered kerb permissible for a second single crossing is 2.7m, subject to all other criteria being met. The use of 0.6m tapered kerbs or 0.3m quadrant kerbs is not permitted on second crossings.

Second crossings will not be permitted where the construction would result in removal of healthy trees or grass verges in excess of 1m in depth across the footway, except on heavily trafficked roads (classified roads) where the removal of grass verge (not healthy trees) may be permitted where road safety benefits of allowing vehicles to enter and leave in a forward aspect can be demonstrated without any possibility of driving over the footway.

VEHICLE CROSSINGS – PERMISSIBLE DESIGN FOR SECOND CROSSINGS ON THE SAME STREET



VEHICLE CROSSINGS – PERMISSIBLE DESIGN FOR SECOND CROSSINGS ON ADJACENT STREETS



13 Controlled Parking Zones

CPZ schemes are designed and implemented on the basis that some kerbside parking bays are provided to operate a permit scheme. They are subject to statutory consultation and decisions made about implementing schemes do take into account the quantity of kerbside space available as this will affect the availability of space for permit holders. There is no limit on permit issue and residents have to pay for permits without a guarantee of finding a space. Therefore any decisions that will reduce the number of parking bays available to permit holders must take into account the usage of the bays and uptake of permits. If the removal of a parking bay would detrimentally affect permit holders then this will be referred to the Traffic Engineer for approval.

Residents applying for a vehicle crossing within a CPZ will be required to cover the costs associated with any necessitated alterations to on-street parking or waiting restrictions and relocating or provision of any required street furniture and signage.

14 Planning Considerations

The council's planning objectives, as enshrined in the Local Plan include the protection and positive enhancement of street side greenery and forecourt greenery. In most instances planning permission is not required for a crossover and hard standing, and this objective can be achieved only through advice (e.g. advice guide attached). However, planning permission is required to form a vehicle access point onto a classified road or where Article 4 Direction has removed relevant permitted development rights.

Properties which are statutorily listed or which are within Conservation Areas may require council permission for the changes involved in the boundary or setting of the building. Specific design advice is available in policy statements and design guides which have been published; this advice takes into account the objectives of preservation or enhancement of character and appearance. It is the responsibility of the applicant to ascertain if the property is listed or is within a conservation area.

Where the Council has control, it will attempt to achieve a balance between hard and soft landscaping and may require the use of specific materials for hard surfacing including vehicle crossings where the applicant will be expected to meet the full cost. Proposals will be considered individually, but their contribution to the overall street-scene and any cumulative effect of crossings and front garden parking will be taken into consideration. Where possible, use should be made of existing access or alternative access points, such as from the rear of the property. Safety implications of boundary treatments will be considered. Adequate visibility for drivers emerging from a frontage must be ensured, as must the safety of pedestrians.

15 Crossings on or close to junctions

More than two-thirds of urban road accidents occur at junctions. Forward visibility for turning vehicles is often limited and driver's attention has to cope with a variety of factors in addition to the turning manoeuvres e.g. other traffic and pedestrians. It is important therefore that the highway authority ensures, as far as reasonably possible that additional potential conflicts, such as parking or accesses are kept to a minimum.

The impact of an access on pedestrians also has to be considered. The majority of pedestrians crossing the side road will do so close to the junction, probably across the corner radii, unless the footway along the main road is very wide.

It is clearly necessary to separate the vehicle access from the pedestrian crossing. This means that the vehicle access must be set back sufficiently to allow a pedestrian crossing and associated tactile paving to be laid closer to the junction, with a short length of full height kerb (to provide some physical separation) before the taper (the kerb that is the full height one end and flush with the carriageway the other end) starts for the vehicle crossing.

The principle of refusing access on a busy road* if a safer alternative exists to the property from a side road or the rear, is long established. As applications for vehicle crossings on classified roads also require planning permission, applicants can appeal to the Government's Planning Inspectorate against a refusal. Such appeals are consistently dismissed.

*In this context busy road means a Classified Road which is split into two categories as defined in the Council's Local Plan as follows:-

A) **London Distributor Road** e.g. Uxbridge Road, Kenton Road and B) **Restricted Borough Distributor Road** such as Kenton Lane, Eastcote Lane.

Access should only be taken from the less busy road (defined as the road of lower status according to the Harrow Local Plan) unless deemed acceptable by the Council's Planning Transportation Unit.

Where access is required to the side of the front garden it should preferably be located as far from the junction corner as possible, but in any event the top of the tapered kerb must not start less than 6m from the channel of the main road or 1.8 metres from the point where the tapered kerb is at full height at an existing dropped kerb for pedestrians (whichever distance is greater from the channel line).

The existing policy and practice of charging the costs of re-sitting street furniture (to allow the construction of a vehicle crossing) to the applicant be extended to include costs of relocating such pedestrian dropped kerbs.

16 Crossing Construction Type

The choice of surfacing type (i.e. block paving, bitmac, concrete) is determined by the Council, generally based on existing adjoining footway and crossing construction however other factors may be taken into consideration.

The Council will also provide a range of vehicle crossing services from design to full construction on request for a fee that will be included in the fees and charges.

17 Highway Trees

The presence of a highway tree will determine the acceptability of a crossing application.

Removal of trees or root pruning required in order to facilitate crossing construction, will only be carried out subject to the criteria stipulated in the council's Tree Strategy.

The Council's Arboricultural officer will be required to report on the condition of any tree affected by a proposed crossing and the feasibility of construction.

If the tree is dead, dying or dangerous it will be removed and the construction can take place.

As determined by the Council's arboricultural officer, if the tree is healthy and has a foreseeable life of more than 5 years the tree will remain and the application will be refused.

If the tree is in decline and is seen to have a life expectancy of 5 years or less then the application will be approved where the applicant would pay for the removal and replacement and associated planting costs of two new trees in the locality.

At the discretion of the council's arboricultural officer a newly planted (planted within the 1 year prior to the application date) tree may be removed and replanted including any

associated planting costs (including a replacement tree cost if bare rooted) at the applicants' expense provided a suitable alternative planting site is available in the locality. If the tree has been planted within 1 to 2 years prior to the application date and replanting is deemed impractical, the application will be approved subject to the applicant would paying for the removal and replacement and associated planting costs of two new trees in the locality.

In some cases the tree may not be directly in the line of the crossing, but the construction may affect the root zone. A safety margin, as outlined in NJUG 10 (National Joint Utilities Group Guidelines for the planning, installation and maintenance of utility services in proximity to trees), shows the precautionary area to be 4 x the trunk circumference (measured at a height of 1.5m above ground).

If the proposed crossing falls within the protective zone the application will be refused. However, the applicant may pay for a trial excavation (within a grass verge or any footway construction) to determine if roots are present within the required construction depth. The excavation will be permanently reinstated prior to the construction of a vehicle crossing.

Excavation and reinstatement costs, to be paid in advance by the applicant, shall be based on the Councils current contract rates.

18 Redundant Crossovers

Any redundant crossover(s) must be removed and the footway reinstated at the applicants expense if a new access is to be created.

19 Legislation

S184 (5)

In determining whether to exercise their powers under subsection (1) or (3) above, a highway authority shall have regard to the need to prevent damage to a footway or verge, and in determining the works to be specified in a notice under subsection 1(a) or (3) an authority shall have regard to that and the following other matters, namely—

(a)

the need to ensure, so far as practicable, safe access to and egress from premises; and

(b)

the need to facilitate, so far as practicable, the passage of vehicular traffic in highways.

20 Fees/Charges

Applicants must provide a completed standard application form and application fee. The fee is non-refundable and covers the cost of reviewing the application, providing advice on feasibility and an estimate cost to the applicant.

The estimate shall be valid until 28th February in the same financial year after the application date subject to a compliant hard standing being constructed. Applicants requesting crossing works based on an 'elapsed' estimate will be required to re-apply.

If the application accords with this policy the applicant will be provided with an estimated cost of constructing a crossover. Once this sum is paid to the Council, construction will be programmed and the applicant informed of dates etc. This will be within six weeks of receipt of confirmed payment. All associated fees for vehicle crossings will be reviewed annually.

21 Fast Track Applications

A 'Fast Track' application service will guarantee an applicant a decision within 10 working days of receipt. The charge of this service is reflected in assigning additional resources to complete the survey within the reduced timescale.

22 Enforcement

Illegal Crossings

Illegal crossings cause damage to the highway, endanger public safety and blight the environment.

In cases where vehicles access a property by means other than an approved crossing the Council will take appropriate enforcement action under section 184 of the Highways Act (1980) or enforcement using public space protections orders and fixed penalty notices.

Driving over the footway to gain access to property frontages.

It should be noted that enforcement action will be taken against any property owner that uses the part of footway that is not part of a vehicle crossing to gain access to a property frontage. They will be notified and offered the opportunity to apply for a vehicle crossing or to extend the vehicle crossing (subject to criteria above). An application form should be submitted within two weeks of notification and following receipt of the estimate a payment of the full amount should be received within two weeks. Should the above not be adhered to a deterrent or preventative measures will be placed that will protect the highways asset for the use of pedestrians. The cost of removing the preventative measures will be included in any future vehicle crossing applications.

If damage is being caused as a result of vehicles using part of the footway that is not part of a vehicle crossing the Council will carry out repairs to the highway and recover costs incurred from the third party. Driving over any part of the footway is covered by the Councils Public Space Protection Order and enforcement will result in the issuing of fixed penalty notices where this occurs.

Highway Obstruction

In cases where obstruction is caused by a vehicle parked on or overhanging the highway the Council will take appropriate enforcement action under section 137 of the Highways Act (1980).

23 Monitoring and Review

This policy will be reviewed in light of developing practice, guidance and changing legislation as necessary and in any event every three years.

