

## **Democratic Services**

Location: Phase II

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CMD No: 477 (Re-issue)

To: COUNCILLOR IAN EDWARDS
LEADER OF THE COUNCIL

COUNCILLOR JONATHAN BIANCO
CABINET MEMBER FOR PROPERTY, HIGHWAYS
& TRANSPORT

c.c. All Members of the Public Safety and Transport

**Select Committee** 

c.c. Poonam Pathak, Place Directorate c.c. Perry Scott, Corporate Director of Place

**Date:** 27 June 2022

# **Non-Key Decision request**

Form D

# NEW DOMESTIC VEHICLE FOOTWAY CROSSOVER POLICY

**Dear Cabinet Member** 

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Tuesday 5 July 2022** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied, and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Liz Penny Democratic Services Officer

Title of Report:	New Domestic	venicie Footway	Crossover	Policy

**Decision made:** 

Reasons for your decision: (e.g. as stated in report)

Alternatives considered and rejected: (e.g. as stated in report)

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

Leader of the Council / Cabinet Member for Property, Highways & Transport

# **NEW DOMESTIC VEHICLE FOOTWAY CROSSOVER POLICY**

Cabinet Member(s)	Councillor Ian Edwards		
	Councillor Jonathan Bianco		
Cabinet Portfolio(s)	Leader of the Council		
	Cabinet Member for Property, Highways and Transport		
Officer Contact(s)	Poonam Pathak, Place Directorate		
Papers with report	Appendix A - Domestic Vehicle Footway Crossover Policy		
HEADLINES			
Summary	To seek Cabinet Member approval for the new Domestic Vehicle Footway Crossover Policy following a review		
Putting our Residents First	This report supports the following Council objectives of: <i>Our People; Our Built Environment</i>		
Financial Cost	No additional cost above existing approved budgets.		
	Property, Highways and Transport		
Relevant Select Committee	1 Toperty, Flighways and Transport		
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# RECOMMENDATION

That the Leader of the Council and Cabinet Member for Property, Highways and Transport approve the new domestic vehicle footway crossover policy document in Appendix A.

### Reasons for recommendation

The introduction of the current crossover policy in 2019 has resulted in a better and more consistent way of dealing with difficult applications, complaints, and appeals. However, to make the application and administration of the policy by officers more effective and practical, a few changes to address some recent challenges and complaints should be considered.

This revised policy will also allow more properties to qualify for a crossover, which will also support the growing demand for residents looking to be able to consider electric vehicles and being able to charge these on their own property.

### Alternative options considered / risk management

None at this stage.

### **Select Committee comments**

None at this stage.

# SUPPORTING INFORMATION

## **Background**

Residents who wish to drive across a footway or verge, which is part of the highway maintainable at public expense, may apply to the Highway Authority for a vehicle crossover under the provisions of section 184 of the Highways Act 1980. A vehicle crossover is where the kerbs are dropped from their normal height to form a ramp and the footway or verge is strengthened to take the weight of a private light goods vehicle.

Since the implementation of the current crossover policy on 1 July 2019, officers have received 1479 applications (up to 1 July 2021) and 246 refusals, 93 appeals and complaints and 2 petitions. These objections were resolved, and the Council's decision was supported by the Local Government Ombudsman. The Council made an exception of only one, which was due to the applicant's disability (amputee) and support from Social Care Direct. Officers believe the proposed amendments take on board general feedback from residents and will provide additional options for residents with the approval of crossover applications, especially in instances where there is insufficient hardstanding depth, as well as parallel parking; additionally for grass verge depths of between 3 to 4 metres, which is not compliant with the current policy.

The policy review and proposed changes incorporate the Council's own internal consultation, residents' feedback, safety and other considerations, petition requests, together with benchmarking with the London boroughs.

Applications for a vehicle crossover will be considered against the detailed criteria and minimum standards to be met, as outlined in the new policy. Some of the key criteria changes are listed below:

# 1. POLICY CHANGES

# 1.1 <u>Environmental Considerations (3.1)</u>

The policy was developed to reduce the number of vehicles parked on the borough's roads and allow more properties to qualify for a crossover, which will also support the growing demand for residents looking to be able to consider electric vehicles and being able to charge these on their own property.

# 1.2 <u>Safety Consideration</u> (3.4)

Vehicle crossover applications on approaches to traffic signal junctions, zebra crossings, pedestrian crossings, and school keep clears will be refused for safety reasons. If the proposal is within 10 metres of the traffic signal junction or the respective zigzag/marking the application will be refused. This will ensure the safety of the public or user.

- In order to maintain the safety of the road users, the crossover applications for the classified road would be refused if it is within 5m of a roundabout and an existing road junction, measured from the nearest part of the crossover to the extended kerb line of the joining road. The decision on residential roads will be made on a case-by-case basis by a highways engineer, taking into account road safety considerations such as (but not limited to) conflict with pedestrian crossing, impact on other road users, etc.
- Crossovers will not be permitted within 10m of a bus stop flag/bus stop cage or 20m in case of a bus stop/bus stop cage serving two buses, to ensure accessibility and safety of bus passengers.
- Bus stop relocation requests will be referred to Transport for London for their decision. An application will not be progressed if TfL support is not granted.

### Reason/Benefit

A crossover within formal and informal pedestrian crossings, near junctions and roundabouts endanger pedestrian and road users' safety. The bus stop cage should be considered to address bus passenger accessibility and safety.

# 1.3 Other Considerations (3.5)

During planned maintenance works, requests for centralising/separating crossovers will only be considered if there is no loss in on-street parking. Otherwise, this will only be considered as part of an application for a crossover extension.

### Reason/Benefit

This will reduce the loss of on-street parking while also ensuring a consistent approach to the extension of vehicle crossover.

# 1.4 Forecourt Dimension (4.1)

- A standard bay length of 4.8m accommodates the vast majority of cars, but it has been acknowledged that, in order to accommodate smaller cars, a short frontage policy has been proposed.
- A new short frontage policy that will apply to existing development applications that were constructed prior to this updated policy where the hardstanding/frontage depth is minimum 3.8m (for parking at 90 degrees to the carriageway) for smaller cars. Additional criteria for hardstanding less than 3.8m has also been proposed for where there is a shared access between two properties and the applicant wishes to park their vehicle using the shared crossover. This will necessitate meeting minimum requirements (3.2m depth and 9m width). The requirement is based on a vehicle entering and exiting the property in one manoeuvre to provide pedestrians with a safe footway. Any vehicles that overhang and block any part of the pavement will be subject to enforcement action.

### Reason/Benefit

A London-wide consultation was carried out prior to finalising the short frontage requirement. The short frontage option will provide flexibility in terms of hardstanding requirements and will benefit properties where the forecourt dimension does not meet the existing criteria and allow more properties to qualify for a crossover.

# 1.5 Width of Crossover (4.2)

- The maximum size of the crossover has been recommended to be increased from 4.2m to 5m or 50% of the property's frontage width (whichever is greater). This will assist requests from residents to have a wider crossover width.
- The maximum size for two adjoining crossovers or shared access has been proposed to increase from 2.7m to 5m. This will ensure that adequate access to these properties is available.

### Reason/Benefit

The increased size of the allowable crossover will provide additional crossover width for parking more than one vehicle comfortably on the hardstanding. Similarly, the shared access and adjoining crossover will improve the sufficiency of access to take the vehicle off road.

# 1.6 Alteration of Crossover (4.3)

The separation of two joined crossovers may be considered on a case-by-case basis and, if approved, would reflect the same length of flat section being given. If anything, other than the existing is requested, then it would require a formal application and be subjected to the policy requirements.

### Reason/Benefit

It will minimise unnecessary loss of on street parking and ensure fairness in decision-making when extending an existing crossover.

# 1.7 Distance between Crossovers (4.3 – existing 2019 policy)

The requirement for the distance between the two crossovers, which was part of the existing 2019 policy, has been removed from the revised policy.

### Reason/Benefit

It will assist in allowing wider crossovers for multiple vehicles in order to facilitate off-street parking for the electric vehicle charging facility.

# 1.8 Existing Crossover (4.4 – existing 2019 policy)

The requirement in the existing 2019 policy to limit the crossover where the property benefits from the existing crossover, e.g. back access to garage, has been removed from the revised policy.

### Reason/Benefit

It will assist in allowing crossovers in order to facilitate off-street parking for the electric vehicle charging facility.

# 1.9 <u>Heavy Duty Crossover</u> (4.5)

Applications received to serve a block of flats or commercial properties will be subject to the construction of a Heavy-Duty Crossover and the width of the crossover access may be more than the maximum permissible size, depending on site conditions and will be decided by the Council, further consideration of 3.1 (planning permission). Evidence of tracking may be requested.

## Reason/Benefit

It will assist in addressing road safety issues and will provide adequate access for multiple and commercial vehicles.

# 1.10 **Grass Verge** (4.6.2)

• It is proposed to increase the grass verge width from 3m to 4m where crossover could be approved. However, in critical drainage areas or areas at flood risk the applications within these areas may be refused after consultation with flooding team.

### Reason/Benefit

While implementing the existing vehicle crossover policy, officers identified that, where the grass verge width up to 4m, the applicant could benefit from a crossover to take the car off the road. This will benefit residents, especially where the grass verge measures 3m to 4m.

### 1.11 Parking Management Schemes (PMS) (4.8)

The criteria relating to net loss of parking provision in making decisions on any vehicle crossover application in areas where parking management schemes exist has been removed.

### Reason/Benefit

It will assist in allowing crossovers in order to facilitate off-street parking for the electric vehicle charging facility.

### 1.12 Provision of second crossovers and 'in and out' drives (4.10)

If the property frontage abutting the highway is at least 12m wide and there is no loss of on street parking "in and out" crossovers may be permitted.

### Reason/Benefit

This will benefit residents, especially those with larger frontages.

# 1.13 Surfacing and drainage of hardstandings (4.11)

The applicant must comply with the guidance on the permeable surfacing of fort gardens. Requirement of 25% of soft landscaping has been removed.

### Reason/Benefit

This will benefit residents and is compliant to the government guidance.

## **1.14 Enforcement (7)**

Enforcement of any breach of the policy has been added to the revised policy.

### Reason/Benefit

This will assist in implementing a consistent approach in meeting policy requirements and enforcing policy breaches.

# 1.15 Specification (8)

• During planned maintenance/reactive maintenance, the type of material to be used for the construction of all crossovers will be decided by the Council (i.e., whether to replace the crossover with a like-for-like material, or to use a different material).

### Reason/Benefit

This will give officers more flexibility in deciding the type of material to use when constructing the crossover based on the site conditions. For example, for crossovers near trees, bitmac can be beneficial due to the material's flexibility, whereas concrete cracks due to tree roots.

# 2. PETITIONS RECEIVED

While conducting the policy review, the Council received two petitions from residents with requests regarding changes to the policy. Officers have carefully considered these and, whilst some of the petitioners' requests highlighted would be addressed by approving the proposed policy changes, it should be noted that others would not be addressed for the reasons set out below.

The details of two petitions submitted to the Council requesting a review of the existing vehicle crossover policy are as follows:

• <u>Petition 1 (210525)</u> - Dropped Kerb Policy - Short Frontage Agreements (101 signatures). In an accompanying statement, the residents provided the following additional information.

We, the undersigned, are requesting the Council consider introducing short frontage agreements in Hillingdon's vehicular crossover policy. Short frontage agreements should be considered in an area where only a small number of properties with short frontages do not have a dropped kerb, for consistency and fairness.

The main reasons to consider short frontage agreements in Hillingdon are the following:

- Allow residents to have access to home charging facilities for electric vehicles.
- To provide consistency and fair treatment to residents who live in an area where the majority of properties already have an approved dropped kerb, independently of the size of their forecourt

### Recommendation

The forecourt dimension was reviewed, and a short frontage policy was incorporated where the hardstanding/frontage depth was less than 4.8m; an absolute minimum of 3.8m (for parking at 90 degrees to the carriageway) has been proposed providing the vehicle does not overhang the pavement. Additional criteria have also been introduced where the hardstanding/frontage depth is less than 3.8m. This will necessitate meeting additional minimum requirements (3.2m depth and 9m width). The requirement is based on a vehicle entering and exiting the property in one manoeuvre to provide pedestrians with a safe footway. Any vehicles that overhang and block any part of the pavement will be subject to enforcement action.

### Reason/Benefit

The proposed criteria will benefit properties where the forecourt dimension does not meet the existing criteria and will make EV charging facilities more accessible.

- <u>Petition 2</u> modify the 2019 Domestic Vehicle Footway Crossover Policy into an edited 2021 Policy (22 Signatures). The suggested changes are below:
  - 1. In 4.2a) please change "4.2m" to "4.88m".
  - 2. Please delete all of 4.2b) concerning householders building unwanted walls, fences or planters.
  - 3. 5 ILLEGAL CROSSING OF FOOTWAYS: please will you kindly delete the second paragraph re expensive, dangerous and ugly bollards.
  - 4. 10 CHARGES AND PAYMENTS The third sentence in the 2015 policy read: "If the application is approved and you proceed with the construction I extension then the site/administration fee will be deducted from the total cost of the quotation." Please reintroduce this.

# Recommendations

- 1. The maximum size of the crossover has been recommended to be increased from 4.2m to 5m, or 50% of the property's frontage width (whichever is greater.
- 2. Other requests were reviewed and, for the reasons stated below, were not considered for deletion as requested by petitioners.

# Reason/Benefit

1. The proposed changes to increase the maximum size of a crossover vehicle will allow for more vehicles in the front garden.

- 2. A wall, fence, or other permanent measures are required to prevent unauthorised crossing on unstrengthened footways. This would ensure pedestrian safety while also avoiding the need for Council funds to be spent on damage caused by illegal crossings. A number of London councils have adopted this criterion and officers have not recommended that it be removed.
- 3. Hillingdon experiences a high number of cases where residents drive over the footway/verge to gain access to their property without a properly constructed vehicle crossover. This causes damage to the footway/verge and potential damage to utility apparatus below the surface. This in turn results in unnecessary public expense to effect repairs in addition to exposing the Council to a higher risk of claims for personal injury. Officers have not proposed any changes to the current policy in this regard since driving on the footway is a breach of sections 184 of the Highways Act and section 16 of the London Local Authority and Transportation Act. The bollards are used as a last resort to take enforcement action against residents who drive on the footway on a regular basis. This will reduce the number of third-party claims against the Council arising from footway defects due to illegal crossings and unnecessary public expense to effect repairs.
- 4. The non-refundable application fees have not been recommended to change as requested. This fee covers the time spent by officers in processing applications and site visits to access the application. The fees and charges are reviewed, and bench marked with the neighbouring borough.

Following consideration of all the feedback received and other considerations, an updated policy is proposed as set out in Appendix A.

# **Financial Implications**

Whilst there are no direct financial implications associated with the proposed policy changes, the volume of applications received – and the number of crossovers subsequently approved and constructed – will be closely monitored following implementation given the potential impact on the level of application and supervision fee income generated.

# RESIDENT BENEFIT & CONSULTATION

### The benefit or impact upon Hillingdon residents, service users and communities

Adopting and complying with the new crossover policy will provide a range of benefits to Hillingdon residents, including:

- Delivery of a more informative and effective crossover application and approval process.
- Provision of clear and concise application criteria in the new policy should ensure consistent judgement is applied by Council officers that should lead to fewer formal complaints being received.
- Additional vehicle crossover criteria options for residents.

### Consultation carried out or required

The new Policy has taken into account feedback from residents and requests in petitions. It has

also been prepared with input from the Council's ASBET, Green Spaces, Development Control, Flooding, Transport and Project Parking, Planning team and London Wide Vehicle Crossover policies.

# CORPORATE CONSIDERATIONS

## **Corporate Finance**

Corporate Finance has reviewed the report and notes that the new policy will be funded within existing resources. Corporate Finance notes the link to the Strategic Climate Action Plan adopted July 2021, Strategic objective C8 of sustainable transportation.

# **Legal Implications**

The Council as the Highway Authority has a duty under section 184 of the Highways Act 1980 to ensure, so far as practicable, safe entry to and exit from premises:

- To allow the passage of traffic on the highway network.
- To facilitate safe passage for vehicular traffic on the highway network.
- To maintain safe passage for pedestrian and cyclists by ensuring vehicles do not overhang the pavement.

In considering an application for construction of a vehicle crossover, the Council may approve the request with or without modification, may propose alternative works or reject the request; and in determining how to exercise their powers in this respect, the Council shall have regard to the matters set out above.

The Borough Solicitor confirms that if the proposed amendments to the Council's Vehicle Crossover Policy are agreed the updated policy will comply with both the Highways Act 1980 and relevant provisions of the Human Rights Act 1998.

# **BACKGROUND PAPERS**

Vehicle Crossover Policy 2019.



# London Borough of Hillingdon

# **DOMESTIC VEHICLE FOOTWAY CROSSOVER POLICY**

# **HIGHWAY SERVICES**

27<sup>th</sup> June 2022

# **Quality Management**

# Report: DOMESTIC VEHICLE FOOTWAY CROSSOVER POLICY

Issue/revision	Issue 1	Revision 1	Revision 2	Revision 3
Version/Remarks	1.0	2.0	3.0	
Date	05/04/2019	03.09.2021	11.04.2022	
Prepared by	Poonam Pathak	Poonam Pathak	Isaac Kwakye	
Signature			23.06.2022	
Checked by	Dalton Cenac		Poonam Pathak	
Signature			27.06.2022	
Authorised by	Perry Scott	Perry Scott	Perry Scott	
Signature			27.06.2022	
Approved by				
Signature				

The following departments/authorities have been consulted in the preparation of this policy.

- ASBIT
- Green Spaces
- Development Control
- Parking
- Planning (Flood & Water Management)
- London Local Authorities

27th June 2022

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### 1. POLICY STATEMENT

This policy sets out the framework in relation to requests made for front garden, open plan parking. The Council supports reducing the number of vehicles parked on the borough's roads and assisting domestic property owners to park on their own property. This revised policy will allow more properties to qualify for a crossover, which will also support the growing demand for residents looking to be able to consider electric vehicles and being able to charge these on their own property.

The construction of a vehicle crossover does not give the occupier of the premises any particular rights, except to drive across the footway or verge to gain access to the highway with a private light goods motor vehicle; the crossover itself is part of the public highway. The Authority being the London Borough of Hillingdon does not guarantee that a crossover will be suitable for use with any particular vehicle (for example a vehicle with low ground clearance).

The Authority reserves the right to impose reasonable conditions on the use of any crossover, as provided for in section 184 of the Highways Act 1980 as well as reserves the right to review its policies, working practices and charges from time to time to ensure the continued provision of an efficient and cost-effective service. Each application site will be assessed individually and on its own merits against current standards and policy.

Inevitably the adoption of this new policy will result in some future applications being refused, which under previous policies may have been successful. This will seem inequitable to some unsuccessful applicants, especially when other similar type properties in the immediate vicinity have crossovers. However, no previous policy or policies will take precedent to the current policy.

### 2. BACKGROUND

A domestic crossover is a term used to describe an access from the road, across the pavement (footpath), and into a residential property, typically a driveway. Legal crossovers typically include lowering the kerb height and strengthening the footway to prevent future damage from vehicles passing over. A domestic crossover is suitable for vehicles weighing up to 3.5 tonnes and serving residential properties. Vehicle use in excess of this necessitates the use of a commercial crossover. Residents who wish to drive across a footway or verge, which is part of the highway maintainable at public expense, may apply to the Highway Authority for a vehicle crossover under the provisions of section 184 of the Highways Act 1980.

Residents may request the Highway Authority to construct a crossover and the Highway Authority may approve the request with or without modifications, may propose alternative works, or may reject the request. In determining how to use its powers the Highway Authority shall have primary regard to:

- a) the need to ensure as far as reasonably practicable, safe entry and exit from premises
- b) the need to facilitate as far as reasonably practicable, the safe passage of vehicular traffic on the highway
- c) the need to maintain safe pedestrian passage
- d) the need to prevent damage to the footway or verge

If the Highway Authority agrees to the provision of a crossover, it will provide the occupier with an estimate for the costs of the works, and once this amount has been paid in full, the crossing will be constructed, subject to no outstanding requirements.

The London Borough of Hillingdon is the Highway Authority for all roads in the borough, with the exception of A40, A312, A30 (red routes) which is under the authority of Transport for London.

### 3. THE POLICY

# 3.1 Legal Considerations

Under the Highways Act 1980 it is not allowed to drive over a footway or verge unless a vehicle crossing has been authorised and installed. Doing so may damage the footway and/or any pipes or cables that are buried underneath it.

Planning permission is not usually required to construct a crossover, but you will need to apply separately if:

- The property's vehicle access would lead directly onto a Classified Road (A, B or C road)
- The property is a Listed Building
- The property is other than a single-family dwelling, e.g., Flat, Maisonette, Commercial or Industrial Premises.
- The works for a vehicle crossover include the demolition of a front wall which is more than 1 metre in height.
- The property is a house in multiple occupation.
- The property is within a new development.
- The parking area within the site measures more than 5 sqm and does not meet the Government's minimum requirements for drainage (see 4.11 Surfacing and drainage of hardstandings)

Where planning permission is required, a copy of every page of the planning consent must be supplied with the application.

If the property is a Listed Building or in a Conservation Area, it is recommended that advice on the acceptability of a new opening, or its design, be sought from the Conservation Team. Also, any new openings in the front boundary of a listed building, may require listed building consent.

It should be noted that any amendments to parking will be considered in conjunction with:

- The Road Traffic Regulation Act 1984
- The Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996
- The Traffic Signs Regulations and General Directions 2016.

Please note that approval for the construction of the crossover must be granted by Hillingdon Highways even if planning approval has been granted by Planning, or by appeal through the Planning Inspectorate.

## 3.2 Financial Considerations

In accordance with the Highways Act 1980, all reasonable costs incurred by the Council can be recovered from the applicant. Charges for application and administration are reviewed annually and the cost of construction is dependent on the works required. Where on inspection it is evident that damage to the footway or verge has been caused through unauthorised crossing by vehicles, any associated works of repair will be included in the cost of works quoted.

### 3.3 Environmental Considerations

- Crossover near trees will be assessed and decided upon by the council's tree
  officers, who will determine whether or not street trees can be removed to
  facilitate crossover (see section 4.6.1)
- Crossovers will not be approved where they necessitate replacement of grass with concrete in wide grass verges (greater than 4m) or highway amenity areas (see section 4.6.2).
- The policy has been developed to address the council's commitment to climate change and facilitates access to properties and the charging of electric vehicle in residents' own properties/forecourts.

# 3.4 Safety Considerations

- To maintain the appearance of the property and to maintain pedestrian safety it
  would be preferable where possible to keep vehicle and pedestrian accesses
  separate. Where the approved crossover extends across the front door, the depth
  of the frontage should be adequate enough to prevent the vehicle from
  obstructing the pedestrian access between the public footway and the front door.
- Any gate/s at vehicle entrances to a property must open inwards.
- The applicant must ensure that adequate sight lines are maintained to allow safe access to their property.
- The crossover must not be within 5m of a roundabout and an existing road junction, measured from the nearest part of the crossover to the extended kerb line of the joining road. This would be applied to all classified roads. The decision on residential roads will be made on a case-by-case basis by a highways engineer taking into account, road safety considerations such as (but not limited to) conflict with pedestrian crossing, impact on other road users, etc.
- The crossover should not be within 10m of the approach to traffic signal junctions and pedestrian crossings/zebra crossings or School Keep Clear line markings
- New crossovers are not permitted within 10 metres of a bus stop flag (where there
  is no cage) or within bus stop cage markings to ensure that accessibility and
  safety for bus passengers are not affected. Where a bus stop is used by more
  than one bus service this distance may be extended to 20m to facilitate 2 buses
  arriving at the stop at the same time as appropriate.

- Any request for the relocation of the bus stop and/or markings would be referred to Transport for London (TfL) who are responsible for all bus stops and related matters, for their decision.
- A crossover application will be refused if the resulting gradient across the footpath would be dangerous for pedestrians.

## 3.5 Other Considerations

- If the applicant is a tenant of a council, housing association or leasehold property, the written permission of the relevant landlord must be obtained and submitted with the application form.
- The applicant must check the deeds to confirm that there is no restriction on parking a vehicle within the boundaries of the property (often applies to New Build properties).
- Should it be the intention to provide a loose gravel driveway on the property, a
  mechanism must be put in place to ensure the gravel is retained and is not able
  to spread across the highway.
- Vehicle crossovers will normally not be constructed with a down slope towards the property. Should this be necessary due to local ground levels, it may be required to include a system of drainage to prevent highway water entering the private property.
- The Council has no obligation to meet the property threshold level at the back of the footway. Minor accommodation works may be undertaken within the private area with the agreement of the property owner.
- The highway level may change in future for any reason. The applicant may have to adjust ground levels within the property boundary to match the new footway level unless otherwise agreed.
- If a utility company box or telegraph pole is situated within the area of the
  proposed crossover, including the tapers on either side, it will be referred to the
  utility company in question for inspection. They will state whether it will be
  necessary to lower or relocate this apparatus, and the additional cost of such
  works will be borne by the applicant.
- A high degree of road camber or a considerably inclined vehicle crossover can create grounding issues for either or both the front and rear overhang of a vehicle. Local ground levels and gradients may put limitations on the type of vehicle that can use a given crossover installation. It should be noted that a crossover installation would not necessarily accommodate all vehicle types.
- A vehicle crossover is installed to allow access from private property to the highway. It is not permitted to park on the vehicle crossover. Unauthorised parking may be enforced under parking legislation.
- The separation of two joined crossovers (generally requested during planned maintenance works) may be considered on a case-by-case basis and if approved, would reflect the same length of flat section being given. If anything, other than the existing is requested (for example request for a wider crossover), then it would require a formal application and subjected to the policy requirements

### 4. GUIDANCE

### 4.1 Forecourt dimensions

Minimum dimensions apply to a vehicle parking area in order that a vehicle is able to be parked safely off the public highway without overhanging any part of it, allow sufficient space for occupants to get in, out and around the vehicle and so as not to obstruct access to the doors of the property.

Accordingly, a vehicle hardstanding should be at least 4.8 metres deep and set out at 90 degrees to the carriageway (see Fig 1).

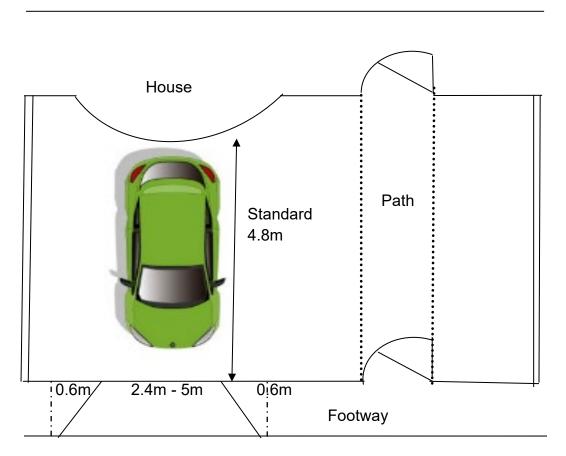
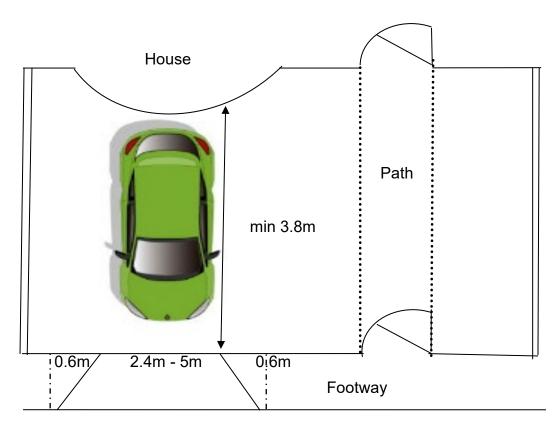


Fig 1- Typical Layout

# New Short Frontage Policy

- Amendments to our previous crossover policy, we have now introduced a short frontage policy, which will enable more residents to have crossovers installed. (see Fig 2).
  - a. The frontage is an absolute minimum of 3.8 metres deep, (for parking at 90 degrees to the carriageway)
  - b. The vehicle does not overhang onto the highway. (Any vehicles that overhang onto the highway and block any part of the pavement will be subject to enforcement action, as stated in section 6 of this policy).



.Fig 2 - Short Front Typical Layout

- 2. If there is shared access between the properties and the applicant wishes to park their vehicle using the shared crossover but does not meet the above depth criteria, the application for a crossover may be approved only if the following criteria are met.
  - a. The frontage must be at least 3.2m deep and 9m wide (Please refer to Fig 3 below)
  - b. Agreement on the shared crossover with the neighbour as applicable
  - c. The vehicle does not overhang onto the highway (Any vehicles that overhang and block any part of the pavement will be subject to enforcement action, as stated in section 6 of this policy).

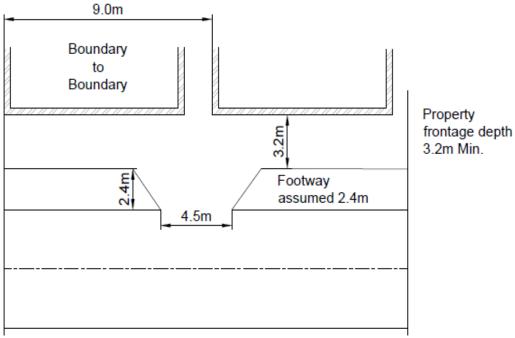


Fig 3- Shared Crossover Layout

On Classified Roads, vehicles must be able to enter and exit in a forward gear (i.e., the property must have space to turn the vehicle around).

### 4.2 Width of crossover

A single width crossover must be a minimum of 2.4 metres wide at the back of the footway. Narrower crossovers are difficult to use, and the resultant manoeuvring can disrupt the flow of traffic on the adjoining highway.

Where a property has an existing hardstanding that is significantly wider than the width of the crossover applied for (e.g., a 2.4m crossover serving a hardstanding capable of accommodating two or more:

- a) The crossover width may be widened to match the width of the hardstanding up to a maximum width of 5m or 50% of the width of the frontage of the property (whichever is greater).
- b) The applicant must erect a low (up to 0.6m) wall, fence, or permanent landscaping to physically prevent vehicles crossing over an area of footway that has not been strengthened. A wall, fence, or other permanent measures are required to prevent unauthorised crossing on unstrengthen footways. This would ensure pedestrian safety while also avoiding the need for council funds to be spent on damage caused by illegal crossings.

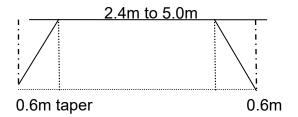


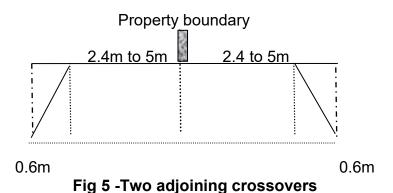
Fig: 4 - Width of crossover

### 4.2.1 Crossover Extensions

Where applicants require extensions to existing crossovers, the total width must not exceed 5m flat section. The width of the crossover will be measured by the length of kerb flush with the road and will not include "tapers". It is not Council's policy to reconstruct the entire crossover unless it is structurally unsound. In such circumstances, the applicant will be offered the option of reconstructing the entire crossover at their expense if they so wish.

### 4.2.2 Shared Crossover/Shared Access

Subject to 4.3 below, where applicants are applying for two adjoining crossovers (e.g., for 2 adjoining properties), or where a new crossover will join an existing one (e.g., a neighbour's crossover), a maximum of 5m flat section will be allowed for each new crossover (refer to Fig 5). This requirement will also apply where the occupiers of two adjoining properties share a driveway and wish to build a double width crossing to serve the two sites or if one owner only requires an extension.



Middle of existing shared crossover

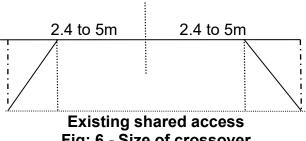


Fig: 6 - Size of crossover

### 4.3 Alteration of Crossover

Where applicants require extensions to a shared crossover or shared access, the provision of a separate crossover would be considered where any of the following prevails.

- 1. Where the extension may result in blocking the front door
- 2. Where there is an existing side wall, hedge or fence that forms the boundary between each house
- 3. Where a lamp column or other street furniture relocation required for the extension and cannot be achieved

### 4.4 Redundant crossovers

When an existing crossover is redundant (for example because a hardstanding has been replaced with soft landscaping or a boundary wall has been constructed) and the Authority is undertaking routine maintenance, or it otherwise appears expedient for the Authority to do so, the Authority will remove the crossover and reinstate the kerb and footway.

# 4.5 Heavy Duty Crossover

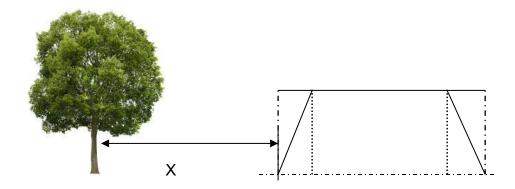
Applications received to serve a block of flats or commercial properties will be subject to the construction of a Heavy-Duty Crossover and the width of the crossover access may be more than the maximum permissible size, depending on site conditions and will be decided by the Council and further consideration of 3.1 (planning permission). Evidence of tracking may be requested.

# 4.6 Highway trees, verges and amenity areas

Any existing Highway amenity such as a tree or street furniture requiring a specialist officer's visit may attract an additional fee.

# 4.6.1 Highway trees

A crossover may be refused if excavation will disturb the root protection zone of any trees located on the highway, this zone is calculated by measuring the circumference of the tree at chest height (1.5m) and multiplying by a factor of four (as defined in the National Joint Utilities Guidelines) Fig 7.



X = 4 x circumference of the tree measured 1.5m above the footway level to taper of the crossover

Fig 7: Precautionary Zone

Other factors that are taken into account include:

- The species of tree and its particular needs and habit.
- The current health and vigour of the highway tree,
- The likely future growth and spatial needs of the tree,
- The predicted future root spread of the tree,
- The likely effects on the tree if the dropped kerb were to go ahead.

Where a proposed crossover is within the precautionary zone of a tree or would negatively impact any of the other factors that are listed, we will advise the applicant to determine if the preferred location of the crossover can be moved to avoid the tree. If there is no alternative location, the Council's Tree Officer will be asked to provide a comment/report on the condition of the tree to assess its health and amenity value. The cost of Tree Officer's site visit and preparing a tree report will be charged to the applicant.

Should the proposed Vehicle Crossover fall into the precautionary area it may be necessary for a trial excavation to be carried out to establish the feasibility of installing the Crossover without undue root disturbance. The cost of this will be borne by the applicant. Should it subsequently transpire that the root measurement more than 25mm, the crossover will be refused. Certain species of tree are relatively hardy and can withstand a certain amount of root severance and still survive, although not necessarily flourish. Other species of tree are more sensitive to root damage, and it is often the case that symptoms of crown dieback and general loss of vigour only show themselves 12-18 months after roots and branches have been severed and disrupted.

If the Council's tree officer agrees that a tree may be removed to accommodate a new crossover, the applicant shall pay for the removal of the existing tree and replacement elsewhere with a new highway tree. Furthermore, any trees planted within the last two years may be relocated at the applicant's expense.

# 4.6.2 Grass verge

The Authority will endeavour to sustain grass verges and amenity areas maintained by the highway authority as an important and integral part of the Borough's street scene and environment wherever possible.

The Authority reserves the right to reject on amenity grounds an application for a crossing across a verge or amenity area. Grass verges play a critical role in allowing water to infiltrate into the ground. In critical drainage areas or areas at flood risk the applications within these areas may be refused after consultation with flooding team.

The application may be permitted where the highway grass verge or any highway amenity area is less than 4m (from the carriageway kerb line to the property threshold).

# 4.7 Visibility

# 4.7.1 Pedestrian visibility

Where it is in the applicant's control, the minimum requirements stated below should be satisfied. Where all or part of the splay lies across land outside of the applicant's control, a relaxation to this requirement may be considered, taking into account the amount of pedestrian activity along the footway and the width of the footway.

Pedestrian visibility splays of 2.4m by 2.4m should be provided (refer to Fig. 8). The fences, walls and shrubs within these areas to be kept to a maximum height of 0.6m. In addition to this, vehicular splays should be provided in accordance with national recommendations, specifically *Manual for Streets*.

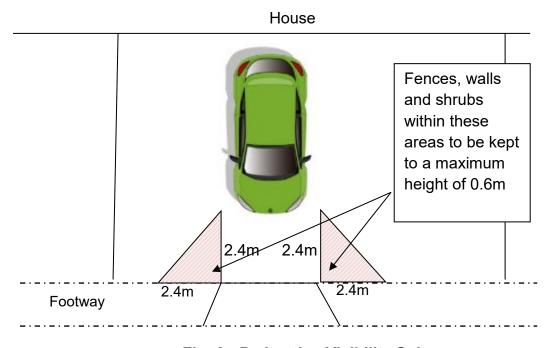


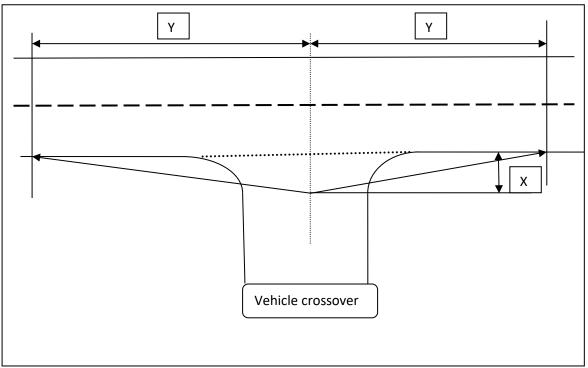
Fig: 8 - Pedestrian Visibility Splay

# 4.7.2 Carriageway visibility

This would be applied to all classified roads. The decision on residential roads will be made on a case-by-case basis by a highways engineer taking into account, road safety considerations such as (but not limited to) conflict with pedestrian movement, impact on other road users, etc

X-dimension: 2.4m from the kerb line Y-dimension: based upon the following

Speed Limit	30mph or above	30mph	20mph
Road Classification	Classified, Local access roads with speeding issues	Local access roads	20mph Zone
Y-distance	Case by case basis will vary from 43m to 120m	43m	33m



Note: Defined parking bays should be provided outside the visibility splay where possible. However, in some circumstances (for example where speeds are low) some encroachment may be acceptable.

# 4.8 Parking Management Schemes (PMS)

Where an approved application requires alteration to the layout of on-street parking bays, the applicant will be required to pay the full cost of any necessary changes to the Traffic Order for the parking scheme in addition to all other relevant costs. Crossover will be constructed after amendment of traffic order. The application for the crossover may be refused if traffic order cannot be amended for any reason e.g., objection.

# 4.9 Street furniture and traffic calming

Crossovers should be located at least 1m from lamp columns or other street furniture. If this is not possible the applicant will incur the cost of repositioning the lamp column/street furniture. It is not always possible to find an alternative suitable location for lamp columns/street furniture, and therefore the crossover may not be approved.

For applications where utility covers are within the proposed crossover, the appropriate utility company will be consulted for the safety of their apparatus. Any cost to alter the covers or relocate apparatus will be provided to the applicant.

Where crossovers are requested adjacent to traffic calming measures (e.g., speed humps and pedestrian refuges), these will be relocated in <u>exceptional</u> <u>circumstances only</u> if approved by the road safety team, and at the cost to the applicant.

### 4.10 Provision of second crossovers and 'in and out' drives

To limit any adverse impact on pedestrians using the adjoining footway and to minimise the loss of kerb side parking, only one crossover will be permitted per property and requests for additional crossovers will generally be refused. This is on the basis that reasonable access already exists as a result of the construction of the first crossover and the common law right of access has been met.

However, a second crossover may be permitted where all relevant planning, highway safety and amenity criteria have been satisfied and:

- Where a second crossover would allow vehicles to enter and exit in a forward gear.
- The property frontage abutting the highway is at least 12m wide.
- There is no practical loss of on-street parking or amenity from a second access, and it is possible to park a vehicle between the two points of access min distance of 5m.

Or

If the applicant has a rear access and requires a crossover in the front of the property, the crossover would be considered if it complies with relevant requirements of the policy.

# 4.11 Surfacing and drainage of hardstanding

The reduction of natural drainage areas by paving over fronts gardens to facilitate off-street parking, may result in local flooding due to overload of the drainage network.

The vehicular crossover will not be constructed if the forecourt does not conform to one of the following (otherwise separate Planning Permission will be required):-

- a) be constructed in permeable material; or
- b) drain to a permeable area, soft landscaping or a soakaway within the site and not into any system that leads to a public drain; or

c) have a hard surface of less than 5m2 if it is not permeable and does not drain to a permeable area, soft landscaping or soakaway.

Surface water must be captured within the site and should not discharge from the front paved area onto the public footway. Materials will not be considered permeable where bedded on an impermeable base. The applicant must comply with the requirements for sustainable drainage, which can be found at the link below.

Permeable surfacing of front gardens: guidance - GOV.UK (www.gov.uk) https://www.gov.uk/government/publications/permeable-surfacing-of-front-gardens-guidance-on-the-permeable-surfacing-of-front-gardens

The council officer will conduct a site visit to ensure drainage compliance, while the applicant will undertake hardstanding work as appropriate. Crossovers will not be constructed unless the above requirements are complied with.

# 4.12 Impact on neighbouring properties and parking

In order to limit the impact on neighbours, a crossover may only be provided over the section of footway immediately in front of an applicant's property. The parking space should not obstruct the main access to the property.

### 5. ILLEGAL CROSSING OF FOOTWAYS

Crossing of footways that are not specifically strengthened for vehicular usage use causes damage that can lead to dangerous footway defects. These can cause injury to pedestrians and expose the Council to litigation claims. It is an offence under section 184 of the Highways Act 1980 to drive vehicles over the footway onto the property without a properly constructed crossover. Legislation contained in section 16 of the London Local Authorities and Transport for London Act 2003 also enables a Highway Authority to serve a notice on an occupier of property where the kerb or verge is being used as a vehicle crossover and the Authority has not constructed or approved construction of a crossover.

Without prejudice to any other rights or remedies available to the Council, the Council may issue a Notice giving an owner and/or occupier of premises adjoining or having access to the highway to cease taking a mechanically propelled vehicle(s) across the kerbed footway or verge. If this notice is ignored the Council may inform the owner and/or occupier, that the Council will install physical measures (bollards or similar) to stop such illegal crossing and recover the costs in full of any repairs to the highway (footway, verge, carriageway) from the premises owner and/or occupier.

### 6. 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).

Where any damage is caused to the highway (footway, verge, carriageway or crossover) as a result of development activities and works on land adjacent to the highway, the cost to repair such damages can be recovered from the property owner and/or occupier or the person causing or responsible for the damage.

### 7. ENFORCEMENT

In the case of breach of the crossover policy, the council will take enforcement action and reserve the right to remove the crossover. The cost of removing the crossover will be borne by the resident.

### 8. INSTALLATION

Crossover construction is undertaken by the councils Term Service Contractor. Under no circumstances will applicants be allowed to install crossovers. Crossovers form part of the fabric of the public highway, not the private properties they serve, and they are maintainable by the Council in perpetuity.

Any obstruction such as trees, hedges or walls belonging to the property must be removed prior to the construction of the crossover.

The rear of the crossover closest to the property boundary will be kept at the same height as the footpath and not lowered to meet the level of any front drive. It is the responsibility of the landowner to ensure that their driveway meets the crossover levels.

It will be the applicant's responsibility to inform the Council when all required offhighway works have been completed. Once notified the Council will then programme the installation works.

### 9. SPECIFICATION AND USE OF CONSTRUCTION MATERIALS

The Council alone will specify all construction materials and surfacing to preserve the appearance of the street scene. The standard surface material for vehicle crossings shall be concrete or tarmac (or similar) or any other material specified by the Council, for the full width of the footway.

In Conservation Areas or close to Listed Buildings, the materials will be chosen in consultation with the Council's Conservation Officer to match the existing streetscape.

### Planned/Reactive Maintenance

The type of material to be used for the construction of all crossovers during planned/reactive maintenance will be determined by the Council (i.e., whether to replace the crossover with a like-for-like material, or to use a different material).

### **10.WHITE BAR MARKINGS**

Residents may wish to apply for a 100mm wide white access bar to be painted on the carriageway to highlight the area of the vehicle crossing and deter inconsiderate parking. The usual length of the white access bar will be the entire width of the crossing from top of taper to top of, as decided by the officer. These will only be installed in streets where there are no parking bays or restrictions, and the cost will be borne by the applicant. The markings are advisory and comes with no additional enforcement powers other than general enforcing obstruction of access. The council will maintain the white access bar line but reserve the right to remove this at a later date without refund to accommodate a parking or other highway improvement scheme.

## 11. CHARGES AND PAYMENTS

Applicants will be charged a non-returnable highway administration/application fee for processing their crossover application regardless of whether the application is approved or rejected.

If planning permission is required, it is the responsibility of the householder to submit the appropriate forms and additional planning fee to the Planning Department.

The cost of any crossover is ascertained by the area of vehicle crossover to be constructed as well as any additional costs that may apply, such as street furniture relocation, PMS bay removal. The highway fees and charges will be regularly reviewed, in light of relevant legislation/regulation, changes in contracts and changes in staff resource costs. The highway estimate provided to the applicant for the construction of the crossover shall be valid for a period of 3-months. Construction works will not commence until payment is received in full for the crossover and any necessary associated works.

If the proposed crossover is within the area of a programmed footway maintenance scheme, the crossover can be constructed at a reduced cost. The applicant will be advised accordingly and given the opportunity to delay the installation to coincide with the footway works.

# 12. RIGHT OF APPEAL

Where applications do not conform to the current policy criteria, applicants will be informed in writing of the reasons for refusal.

An appeal will not be considered solely on account of older existing crossovers in an applicant's road or elsewhere that may not comply with the current policy criteria.

Requests for reconsideration of a refusal decision will only be allowed and considered as an appeal if applicants can demonstrate

a) that their applications have not been processed in accordance with the criteria set out in this policy, or

b) that there are <u>exceptional circumstances</u> that would justify an exception to be made to the policy.

The Authority without prejudice may exercise discretion when considering the grounds of any appeal and facts of an application.

All appeals will be considered in two stages in the order below:

Stage 1 - considered by the Highways Manager

Stage 2 - considered by the Director of Place.

# Appendix 1 - Classified Road List

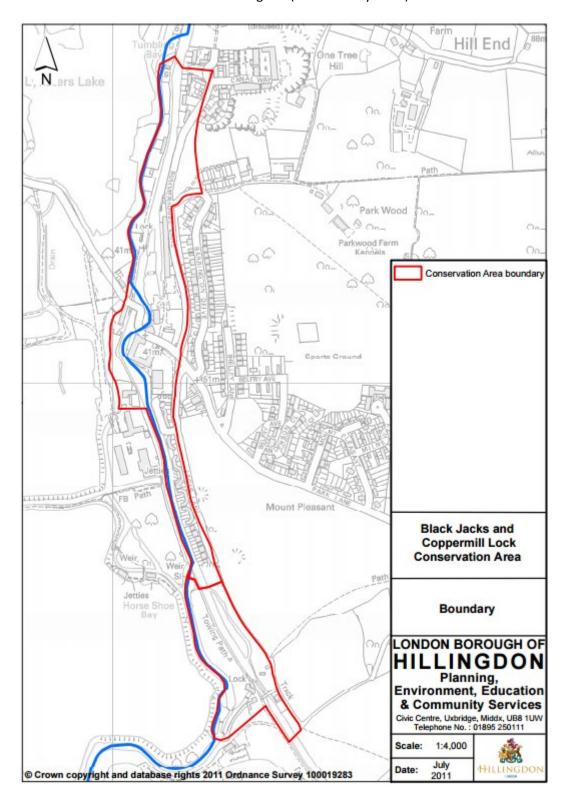
Appendix 1 - Classified Road List
Angel Lane Hayes
Belmont Road Uxbridge
Botwell Lane Church Rd – Station Rd Hayes
Breakspear Road North Harefield
Breakspear Road South Ickenham
Bridle Road Pinner
Bury Street Ruislip A4180
Cherry Lane West Drayton
Church Hill Harefield
Church Road Northwood A4125
Church Road Hayes
Church Road Uxbridge
Colham Green Road Uxbridge
Cowley Mill Road Uxbridge
Cowley Road Uxbridge A408
Cross Street Uxbridge A4020
Cuckoo Hill Pinner B466
Dawley Road Judge Heath Lane -Nth Hyde Rd Hayes A437
Dawley Road Shepiston Lane To Nth Hyde Rd Hayes B464
Ducks Hill Road Northwood A4180
Eastcote Road Ruislip B466
Elm Avenue Ruislip
Falling Lane Yiewsley A408
Field End Road Ruislip
Green Lane Green Lane – Northwood Way Northwood A4125
Green Lane Northwood B469
Harefield Road Uxbridge B467
Harlington Road Uxbridge A437
Harmondsworth Road West Drayton
Harvil Road Harefield
Hatch Lane Harmondsworth A3044
Hercies Road Hillingdon
High Road Cowley A408
High Road Long Lane To Ickenham Rd Ickenham B466
High Road Eastcote B466
High Street Northwood A4125
High Street Ruislip A4180
High Street Harlington A437
High Street Belmont Rd To Harefield Rd Uxbridge
High Street Harefield
High Street – Falling Lane To High Rd Yiewsley A408
Hillingdon Hill Uxbridge A4020
Hillingdon Road Uxbridge A4020
Holloway Lane West Drayton A3044
Honeycroft Hill Uxbridge
,

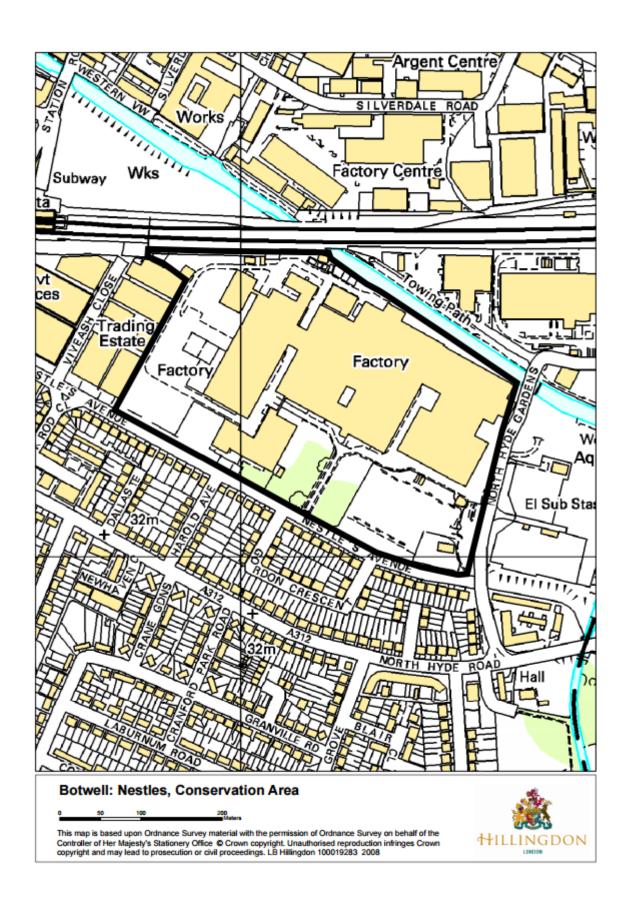
Ickenham Road Ruislip B466
Iver Lane Cowley B470
Joel Street Northwood B472
Kingsend Ruislip
Kingshill Avenue- From Lansbury Drive To Atlee Rd Hayes
Kingston Lane Uxbridge
Kingsway Hayes
Lansbury Drive Uxb Rd To Kingshill Ave Hayes
Lees Road Uxbridge
Long Lane Ickenham B466
Long Lane Hillingdon A437
Long Drive Station App – Victoria Rd Ruislip
Mill Road West Drayton
Moorhall Road Harefield
New Windsor Street Uxbridge A4007
North Hyde Road Hayes A312
North Hyde Road Dawley To B/Bound East Hayes A437
North View
Northwood Road Harefield
Oxford Road Uxbridge A4020
Park Lane Harefield
Park Road Uxbridge
Park Way Ruislip
Pembroke Road Ruislip
Pield Heath Road Hillingdon
Pinner Road Northwood A404
Rickmansworth Road Northwood A404
Rickmansworth Road Harefield
Rockingham Road Uxbridge A4007
Shepiston Lane West Drayton
Sipson Road -Holloway Lane To Bath Road West Drayton A408
St John's Road Uxbridge A4007
Stanwell Moor Road West Drayton A3044
Station Approach Ruislip
Station Road Hayes A312
Station Road Hayes
Station Road Uxbridge
Station Road - High St To Nth Hyde Rd Hayes A437
Swakeleys Road Ickenham B467
Swan Road West Drayton
The Green West Drayton
The Greenway Uxbridge
Thorney Mill Road West Drayton
Torrington Road Ruislip
Trumper Way Uxbridge A4020
Uxbridge Road Hayes A4020

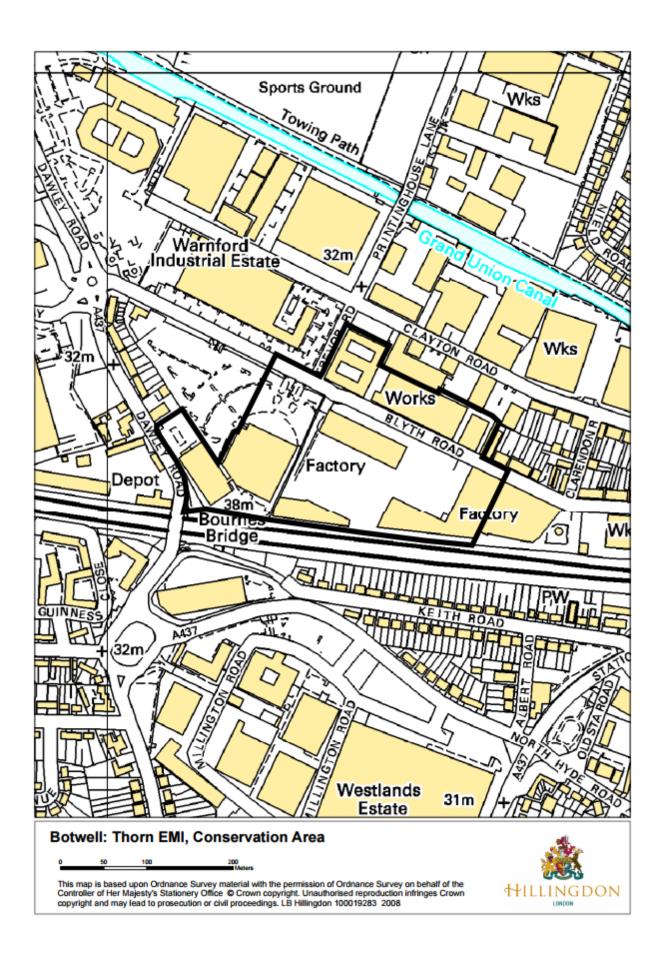
Victoria Road Ruislip
Watford Road Northwood A4125
West Drayton Road Hillingdon B465
West End Road Ruislip A4180
Wood Lane Ruislip

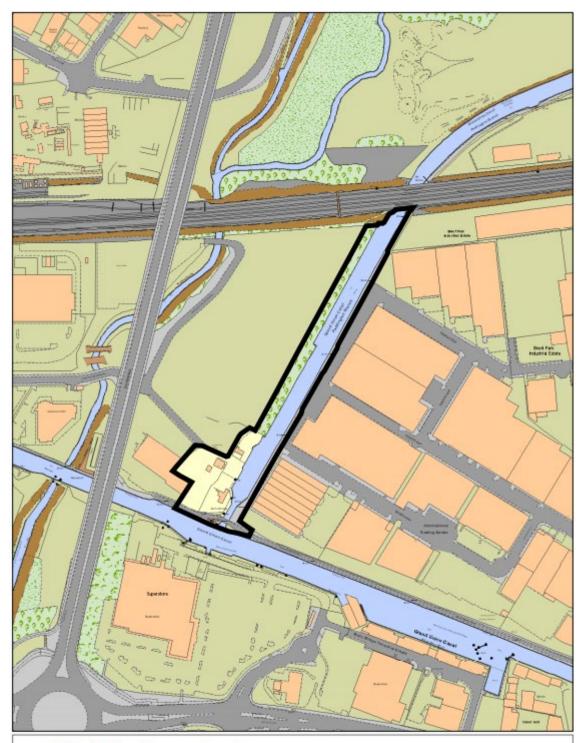
# **Appendix 2 - Conservation Areas**

Current Conservation Areas within Hillingdon (as of January 2017) are:







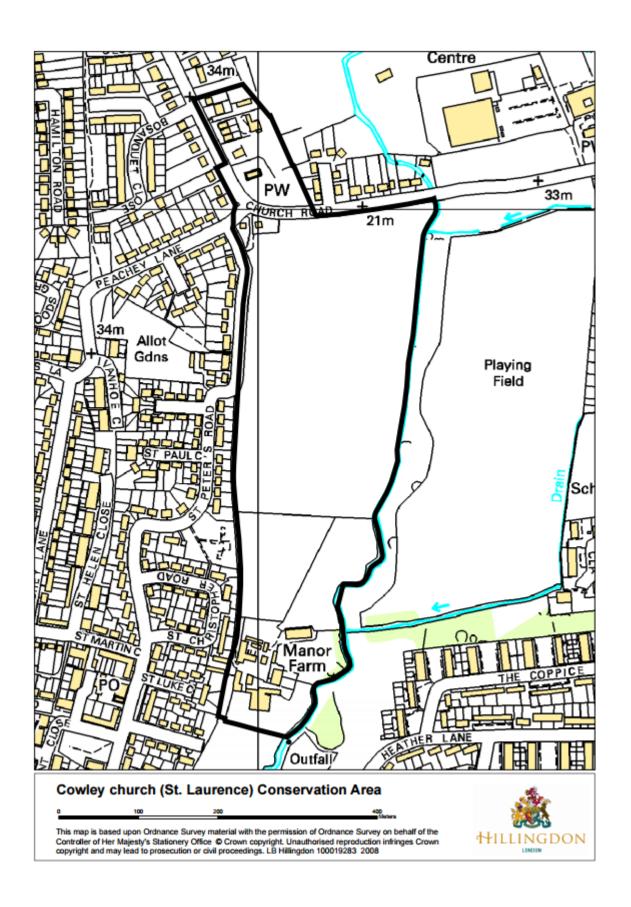


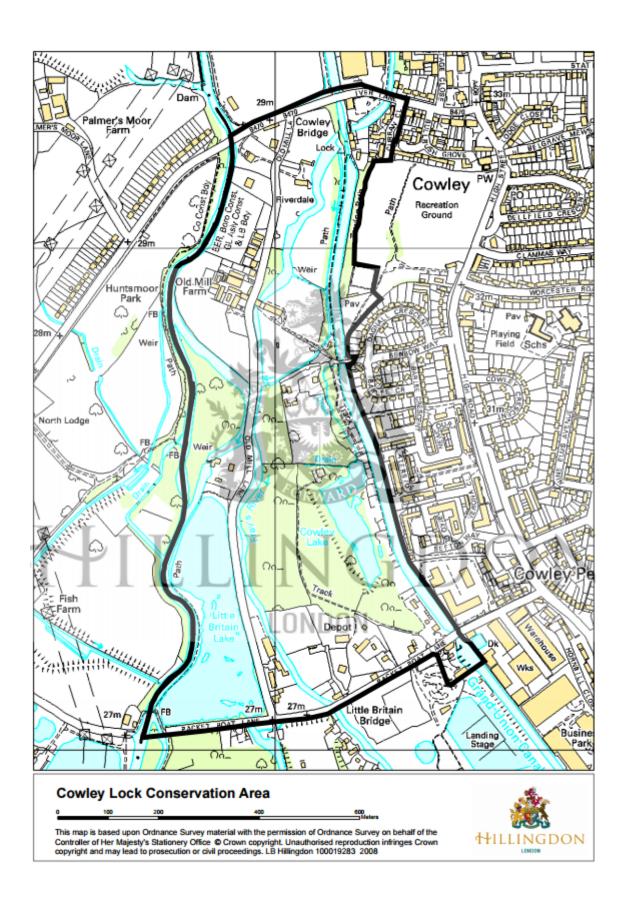
## **Bulls Bridge Conservation Area**

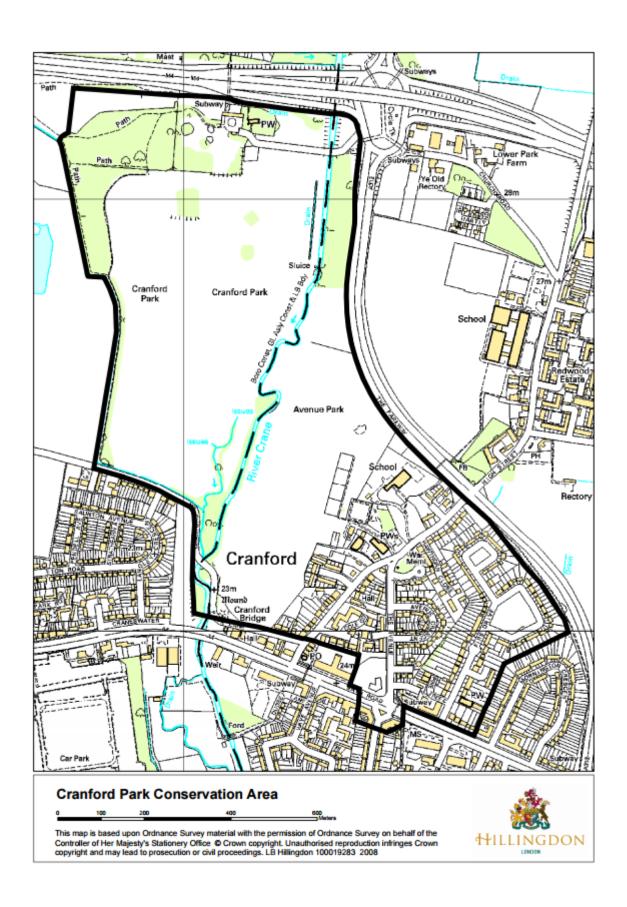
0 50 100 200 Melec

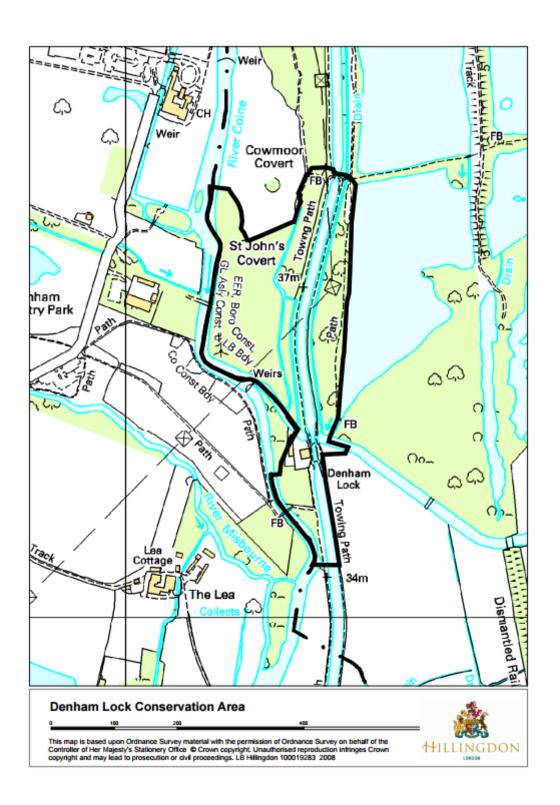
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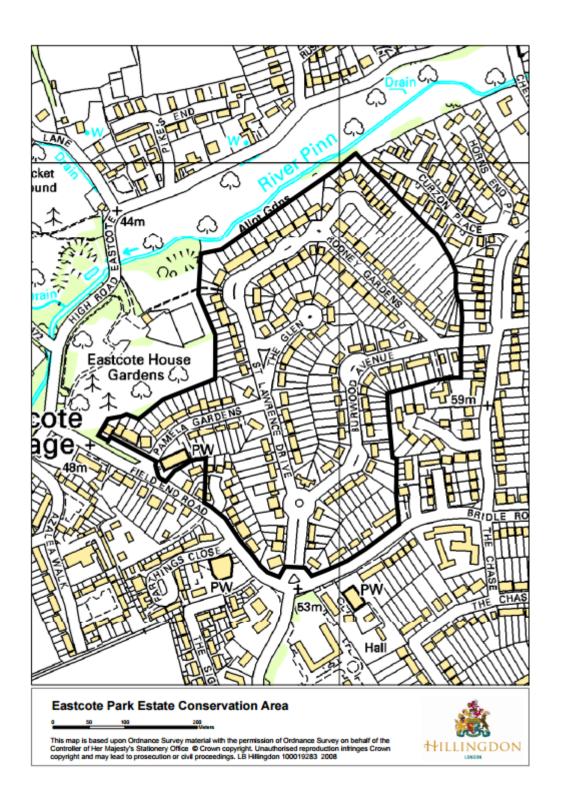


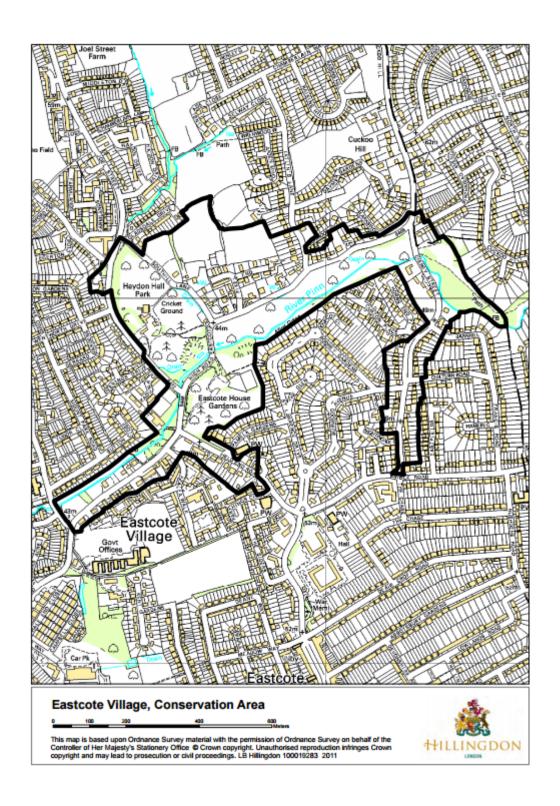


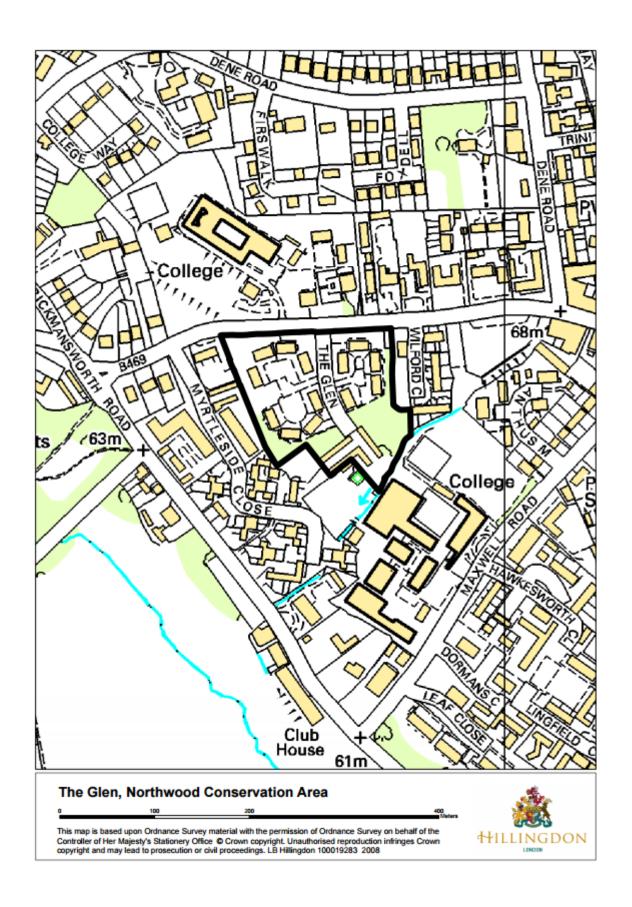


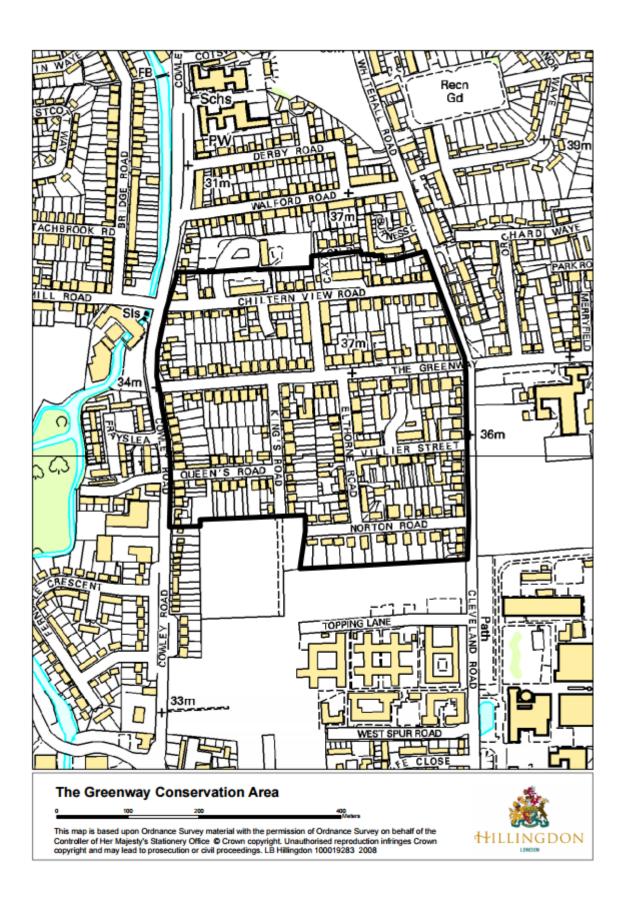
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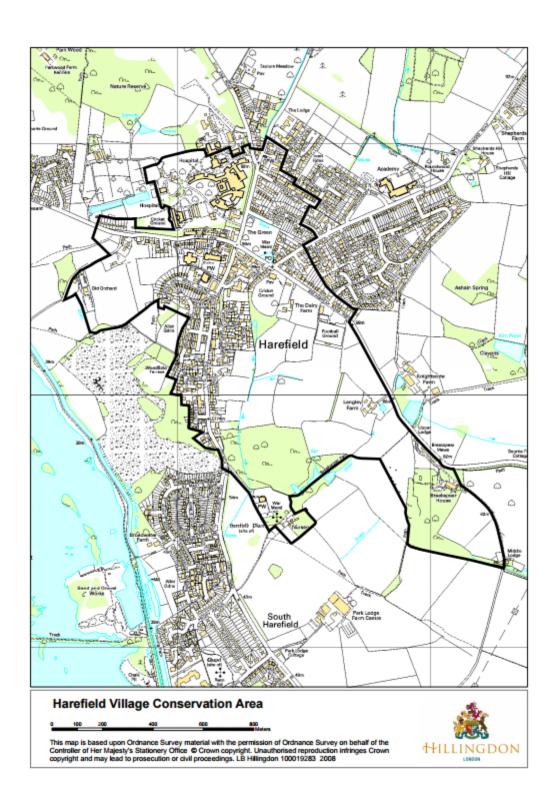


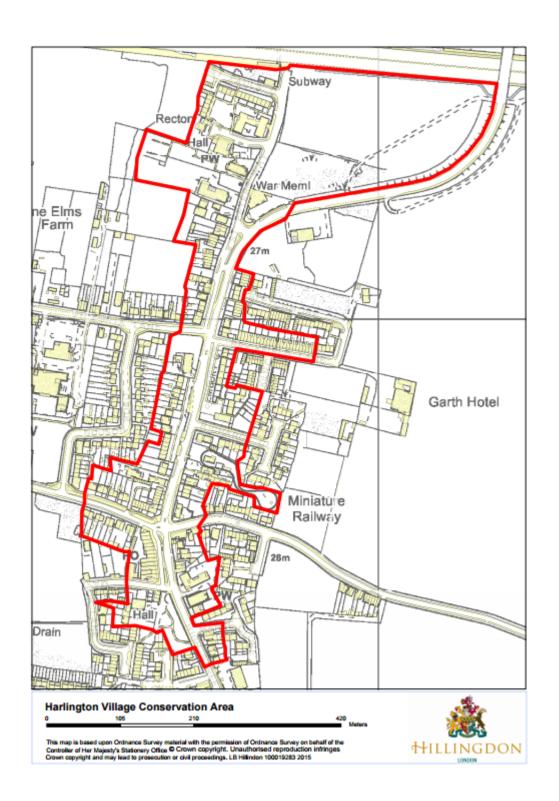


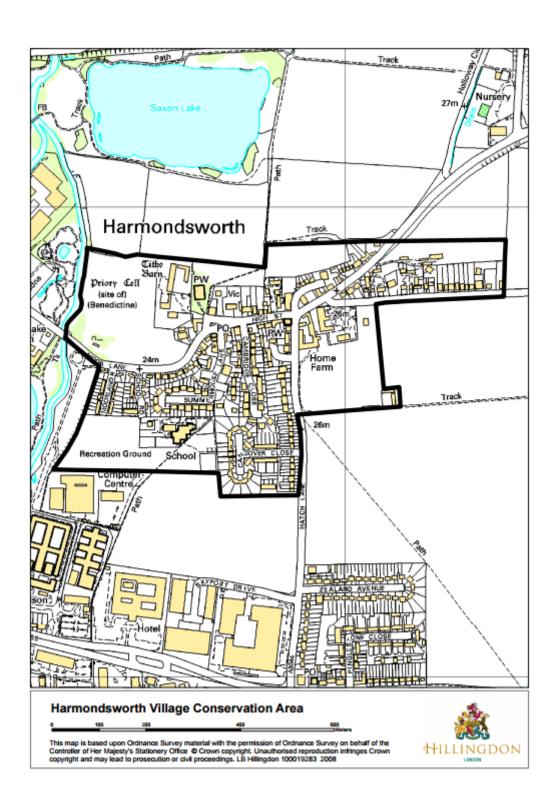


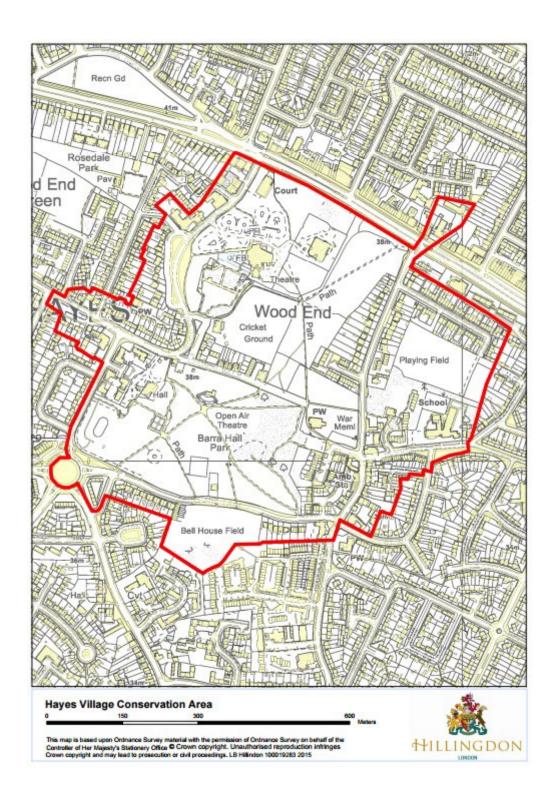


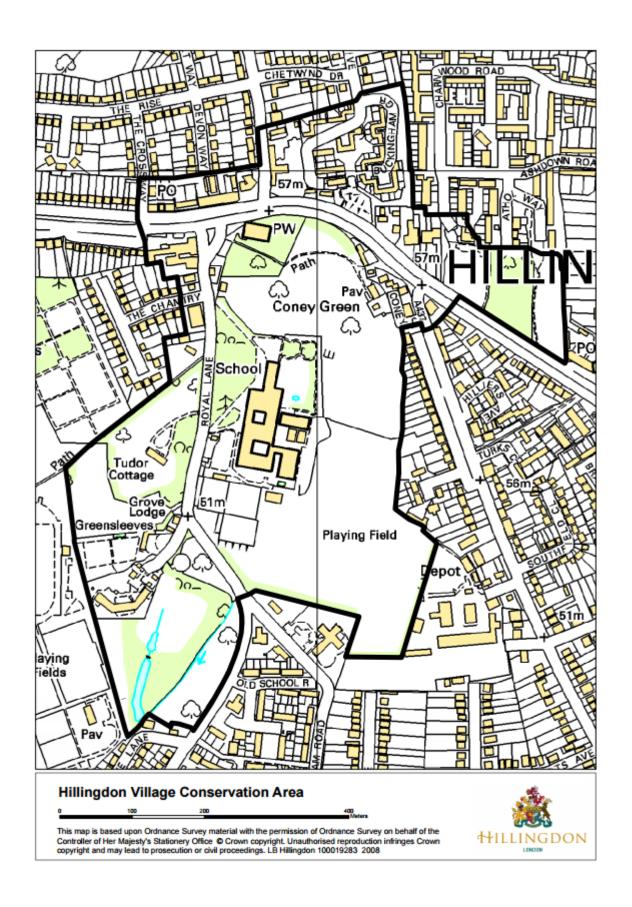


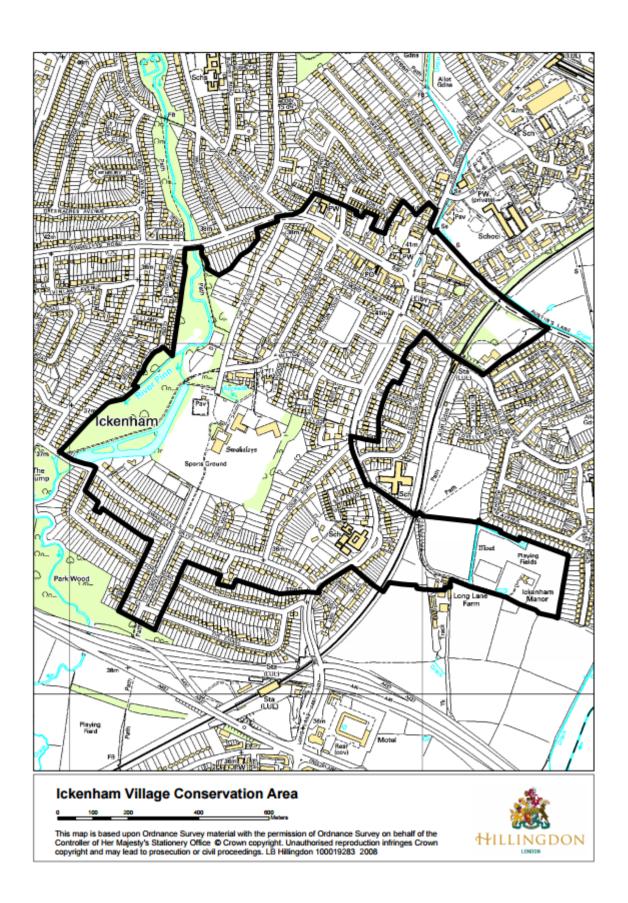


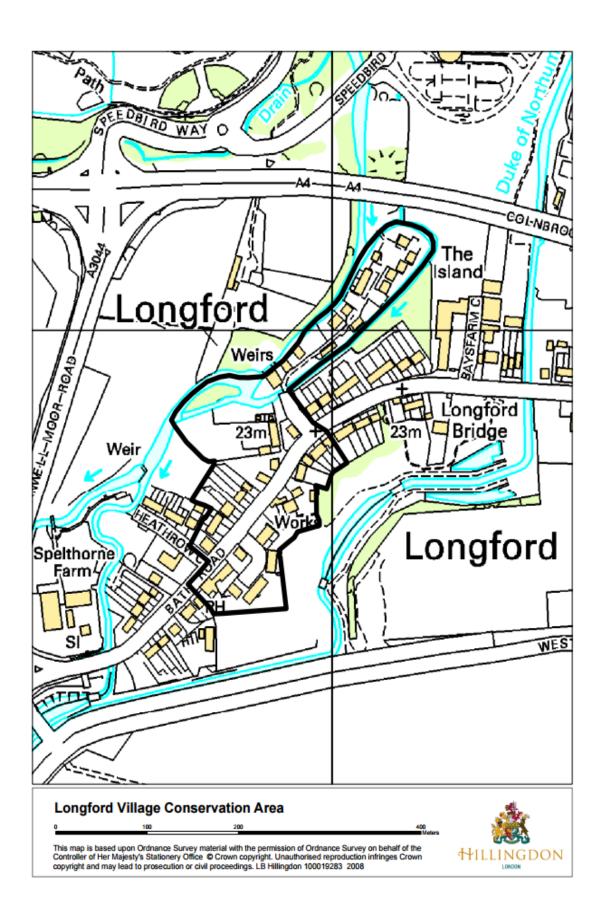


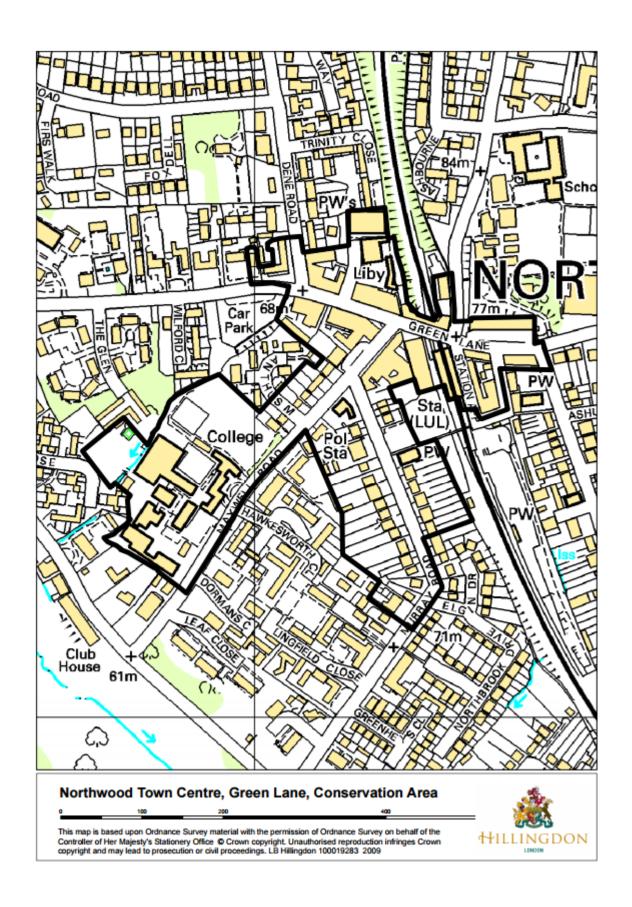


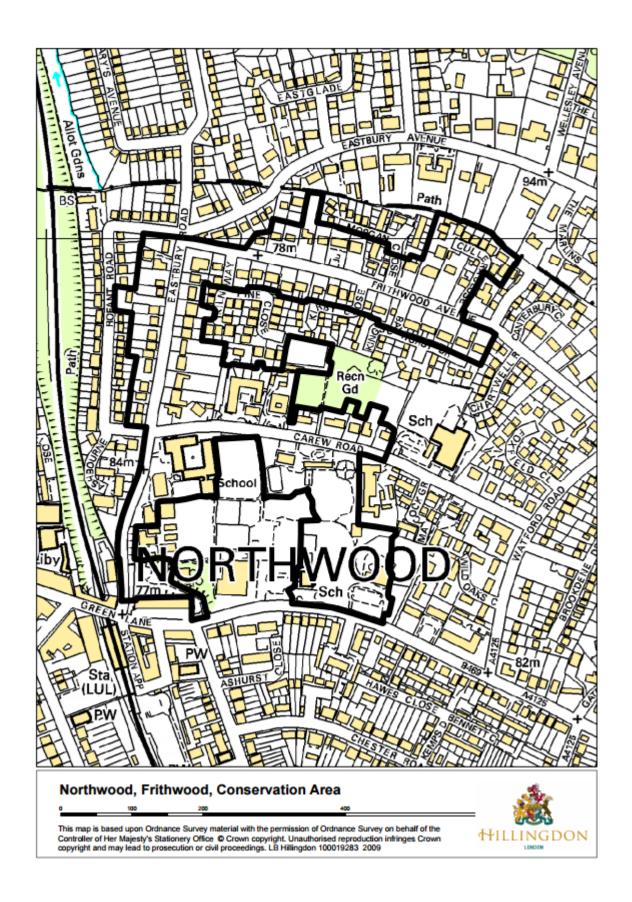


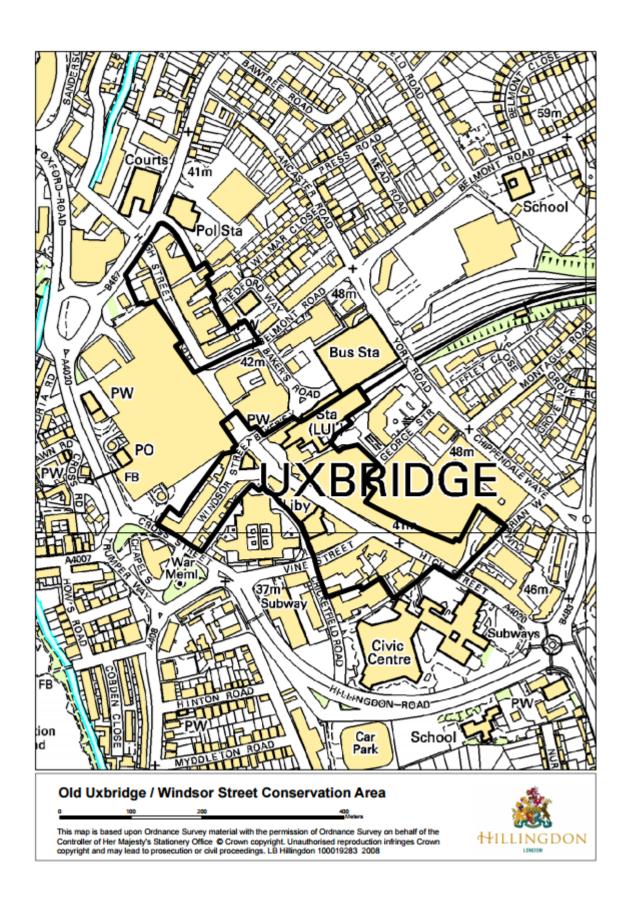


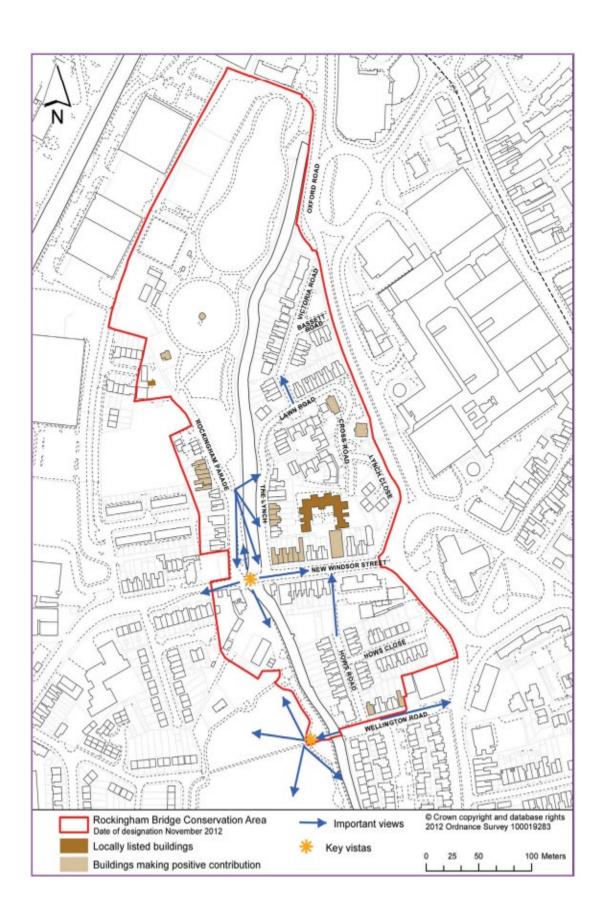


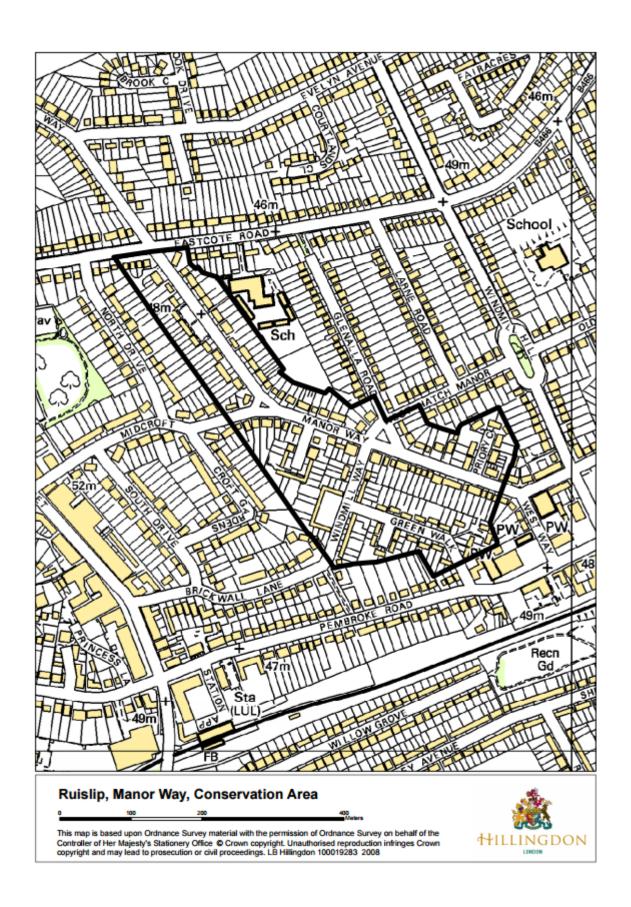


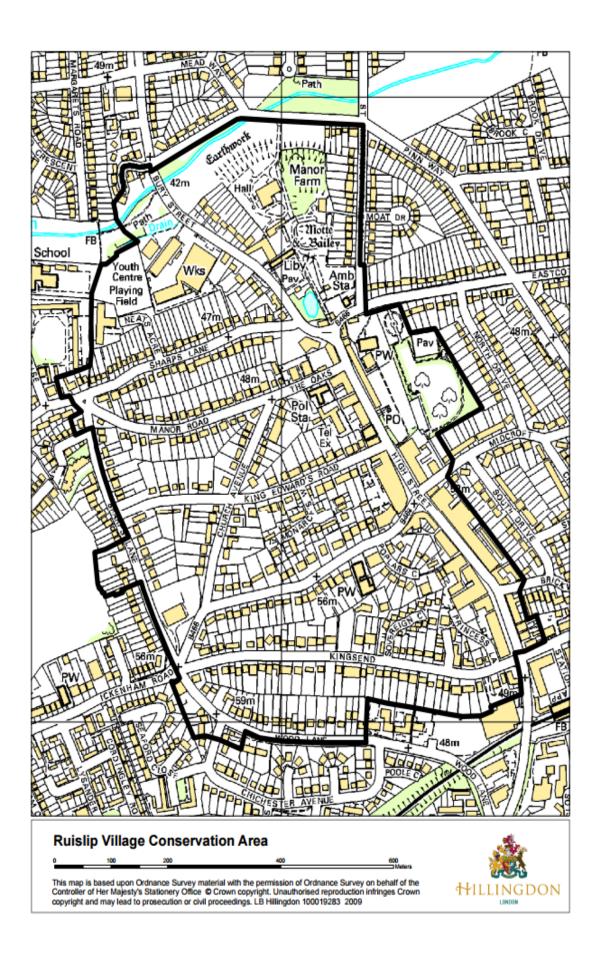


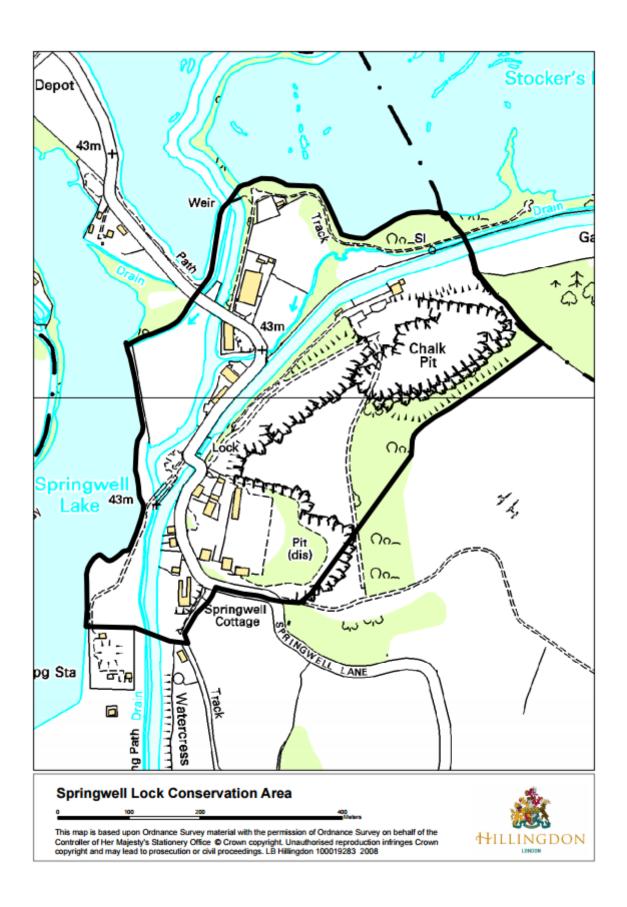


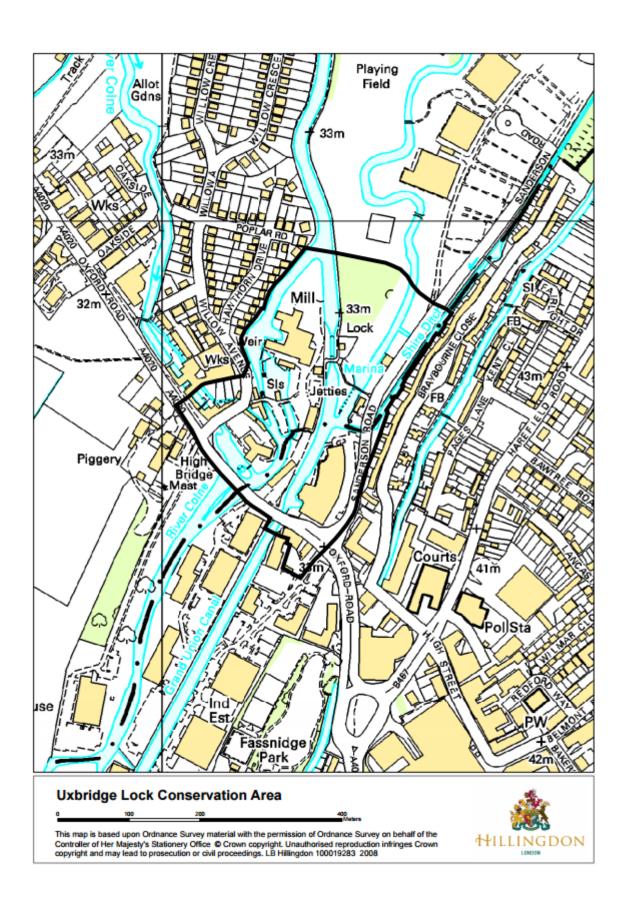


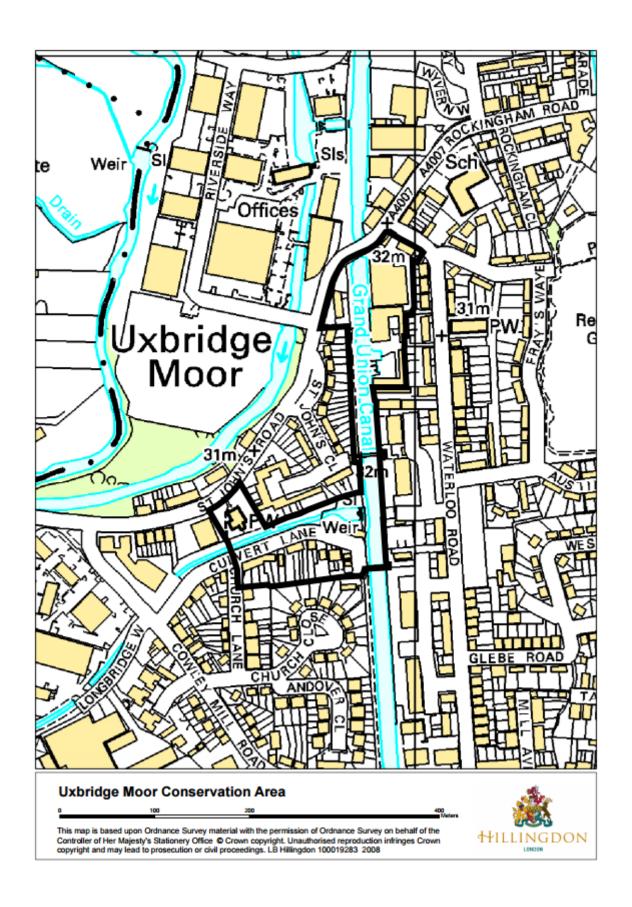


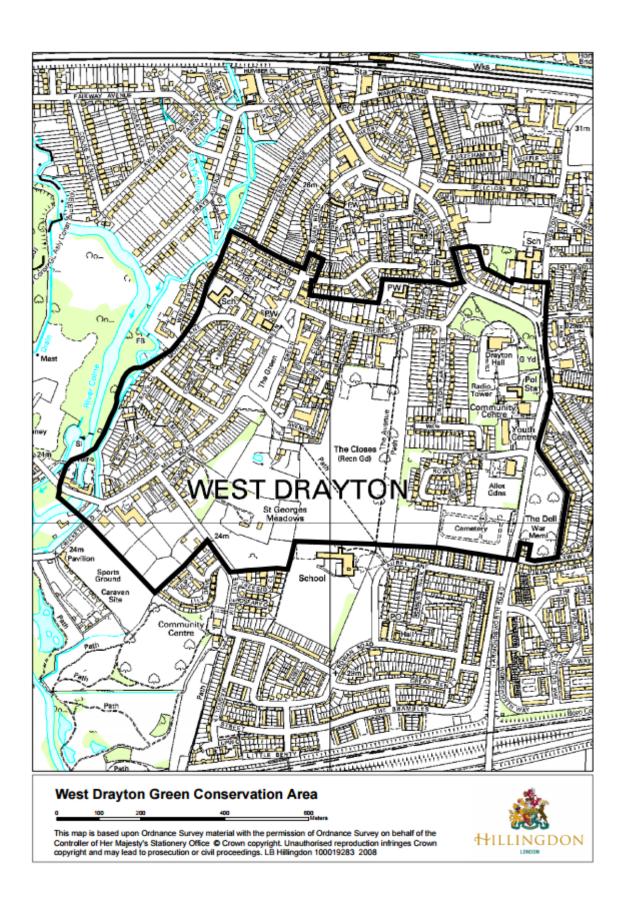


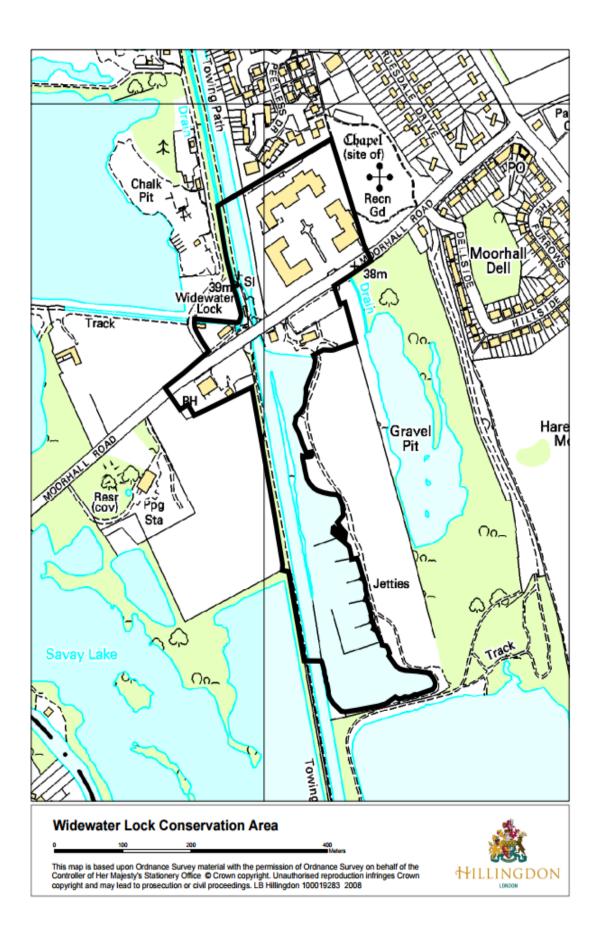












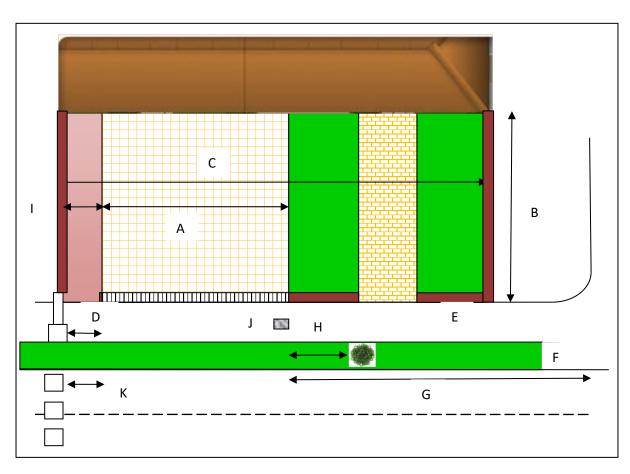
## Appendix 4 - Tree Report Template

Tree Report								
Address:			Ward					
Date of Inspection:								
Tree Species			Circumference at chest height (1.5m)					
Distance from Trunk of proposed Vehicle crossover:			Is this in the precautionary Zone? (4x Circumference)	Yes	No			
Will the tree require a larger growing space than the precautionary zone in the future?	Yes	No	Predicted extra space required:					
Comments on current tree health and vigor:								
Likely effects on the tree if the dropped kerb was to go ahead:								
Should permission for the dropped kerb be granted?	Yes	No	Any Extra Comments:					

## Appendix 5 - Dropped kerb measurement form

Use this form to help note your measurements. Once complete, enter into the online form which can check the measurements to see if the minimum and maximum measurements are met before you apply.

Your Plan



Plan Letter	Measurement Requires	Measurement
A	Width of flat section of crossover-Min 2.4m MAX 3.6M. If you are proposing to extend the existing dropped kerb, provide the total requested width	
В	Depth of garden / forecourt	
С	Width of garden/ forecourt	
D	How close is the nearest lighting column from the edge of your proposed drop kerb, including the 0.6 splay sections	
Е	Proposed final height of the boundary fence / walls within the visibility splay areas?	
F	Depth of grass verge at the proposed dropped kerb location	
G	Distance to the edge of road junction, pedestrian crossing markings, bus stop markings etc from the edge of your proposed dropped kerb	

Н	How close is the nearest tree from the edge of the proposed dropped kerb, including the 0.6 m sections?		
	Circumference of the tree trunk measured 1.5m above footway level.		
I	Distance of crossover from property boundary		
J	Are there any utility covers within the footway outside of your property?	Yes	No
K	Is the proposed dropped kerb next to a road table or speed hump?	Yes	No
	Distance Between road table or speed hump and the proposed drop kerb		