

Vehicle Crossover Application Guidance Notes

(These guidance notes are for your retention. Please do not return with your application)

These guidance notes are provided to help you in understanding the procedure and guidelines which will need to be followed to obtain formal approval from the council for construction of a vehicle crossover across a public footway or footpath and/or verge.

We deal with all such applications in accordance with the guidelines approved by the appropriate committee.

In assessing your application, we are required, by law, to make sure you are following the basic criteria:

- a) Vehicles will be able to enter and leave safely from the premises.
- b) The safe passage of vehicles and pedestrians in the road.
(A suitable sized parking area on the property (as defined by the council), will be required before a crossover is agreed. This will allow vehicles to enter and leave the space at right angles and in one movement from the road. (Please see the typical sketch on page 5 of these notes)
- c) The need for strengthening of the footway/verge to withstand the weight of vehicles.
- d) The vehicle must be parked wholly within the property. Any vehicle overhanging the footway is committing an offence under the Highways Act 1980. All property owners must sign a legal agreement confirming that they will not overhang the footway with any part of a vehicle. This agreement will be lodged with local land charges and will form part of the deeds of the property to be transferred if it is ever sold. **(The owner/freeholder of the property will be required to sign the legal agreement. If the applicant is not the owner/freeholder of the property, then written consent must be obtained from the owner/freeholder.)**
- e) Apart from the vehicle crossover across the public footway, a hardstanding (parking space) within a front garden and access may require planning permission; see point (5).

To enable us to process your application quickly please provide, to the best of your ability, all the details requested in the attached application form.

The item numbers correspond to those on the application form.

1. Name and Address of Applicant

You should state the full name and address of the person applying together with a daytime telephone number.

2. Name and Address of Agent

Where we receive an application from an agent, we will send all communications to the agent only. We will not give information to the applicant without the agent's written consent.

3. The Location of Proposed Crossover

You should state clearly the exact location of the crossover. If the crossover is required in a side street, such as for a corner property, then you should give the name of that street. The hardstanding needs to be in a safe position within the property and not directly in front of the front door so as to ensure safe escape in any emergency, eg. Fire.

4. Type of Application – There are two types of crossover

- a) Light duty domestic crossovers are only suitable for vehicles up to a maximum weight of **3500 kgs**. Temporary access for heavier vehicles will require a specific licence issued by the London Borough of Barnet.

- b) Heavy duty crossovers will be required for vehicles with a laden weight **over 3500 kgs** and for flats and commercial properties with access for several vehicles.

5. Planning Permission

In addition to assessing whether your request meets with the guidelines approved by us, we will also check to see whether planning permission is required. Planning permission is generally needed in the following circumstances, although this list is not exhaustive:

- a) the access is to be on a classified / tiered or trunk road;
- b) the access is to a commercial property;
- c) the access is to a property that is a maisonette or divided into flats;
- d) the access is to a listed building;
- e) the access is in a conservation area, which is covered by Article 4 Direction requiring planning permission for hard surfacing; and
- f) the access is likely to affect a tree, which is protected by a Tree Preservation Order.

Where planning permission has already been given a copy of the consent letter, any approved plans and the conditions must be submitted.

In cases where planning permission is required we will advise you in writing to contact Barnet Planning Team. Once planning permission has been granted, a copy of the consent letter, any approved plans and the conditions must be sent to the Highways Departments Crossover Section so that a quotation can be sent.

Residents of the Hampstead Garden Suburb will need to enclose formal consent from the Hampstead Garden Suburb Trust Limited for the hardstanding and crossover.

It is the applicant's own responsibility to check whether planning permission will be required for their hard standing area, and to obtain it where necessary.

6. Width of Crossover Required

The minimum width for which we can approve a crossover is 2.4 metres (approximately 8 feet). The maximum width allowed is 4.8 metres (approximately 16 feet). As the paving slabs are 0.6 metres (approximately 2 feet) wide, for practical reasons the intermediate widths will be in stages of 0.6 metres. Where the type of existing surface material of the footway/verge is not standard paving slabs, the width stages may be varied; if so details of width should be provided. The minimum distance between crossovers is 1.8 metres.

Where there is an application to extend the width of a crossover to a shared driveway, then the width of the crossover shall be taken from the centre of the shared driveway. This is required to ensure that the crossover width to a property does not exceed the maximum permitted width of 4.8metres.

Although every effort is made to accommodate the applicant's requests, this may not always be possible. In such instances, the engineer's decision will be taken.

7. Existing Use Information

If you are aware that the crossover is to be partly or fully built over land (apart from the public highway) that is not controlled by the applicant e.g. housing land, park or open space, this should be clearly shown in the sketch or plan. If you are a Barnet Homes please advise the name of your Housing Officer.

8. Street Furniture

The crossover should be located so that it does not affect existing street furniture e.g. lamp column, traffic sign etc. Normally a minimum distance of 1.2 metres will be required between a proposed crossover and any existing street furniture.

In cases where we approve or propose works and which also require removal and/or replacement of street furniture, the cost of such works will be borne by the applicant.

9. Levels

As per application form.

10. Drainage

It is the responsibility of the applicant to provide adequate drainage for surface water, so that it does not fall or flow on to the highway, as required by Section 163 of the Highways Act 1980. Your application may be refused if you do not provide adequate surface water drainage. Water must not flow from the property directly onto the public highway and must drain onto a garden area or into a drainage channel.

Every step will be taken to ensure that surface water does not flow into the property from the highway as a result of the construction of the crossover. Any application affected by the location of a road gully will be referred to the Drainage Section for comment, which may influence the decision to approve an application.

Paving front gardens changes the attractiveness and character of whole streets and as such it is recommended that the hardstanding area is restricted to a suitable space to accommodate your vehicle and that the remaining frontage is retained as a green space to minimise the environmental impact on the neighbourhood. Also hard paved areas contribute to rapid run-off of rainfall, which contributes to the pollution of waterways and flooding it is highly recommended that any hard standing is constructed in permeable block paving.

11. Amenity/Frontages

When considering the layout of a hardstanding and the position of a proposed crossover, any existing highway amenity such as a wide grass verge, hedgerow or flowerbeds should also be taken into account. Any existing highway amenity such as a tree or street furniture requiring a specialist officer's visit will attract an additional fee of **£144.00**. All crossovers near a tree will be referred to the Arboricultural Officer for a decision to determine if any tree would be affected by the proposed crossover and, if so, whether it can be removed. If the tree remains, in general a distance of 1.2 metres will be required between a proposed crossover and the tree, this distance can be greater at the Arboricultural Officers discretion. It is unlikely that we will approve the removal of healthy, mature trees with high amenity value. If the tree removal is refused, the proposed crossover may not be able to be constructed.

In any case, where we have approved or proposed works or which require removal and/or replacement of highway amenity, the cost of such works will be borne by the applicant.

We will consider applications for crossovers where the impact on the flowerbed is limited. Applications where the proposed crossover severs a flowerbed or has a major impact on its appearance will be rejected. Any costs of alterations to the flowerbed will be borne by the crossover applicant.

The space between the road and the buildings frontage is an important part of the environment which can change significantly by the increase in front garden parking area. As traditional front gardens are replaced by hard surfaces and vehicles, the harmony and continuity of the street frontage is interrupted and enjoyment of the buildings themselves, especially if listed or in a conservation area may suffer. This may also lead to a reduction in wildlife through lost habitats and permeable surfaces. It is therefore important that front garden parking, where permissible, should be constructed to cause minimum intrusion and harm. With care and attention, any visual impact of a parking space together with the adverse effect on wildlife can be reduced, whilst blending in with the neighbourhood.

For information on the current acceptable methods of constructing a hard standing area on your property please contact our Planning Group on telephone number 020 8359 3000.

12. Fees

The regulations made under the Local Authorities (Transport Charges) Regulations 1998 authorised local authorities to impose charges for dealing with specified matters about certain highway, road traffic regulations and travel functions.

The consideration of a request to construct a vehicle crossover by the council in accordance with the required criteria is a chargeable function. The fee for processing an application is **£178.00** and this is **not** refundable in any instance, as it covers a site visit to assess the application.

Please ensure that your cheque for £178.00 is enclosed (made payable to “**Barnet Corporation**” with your address on the back) with your application form or payment can be taken over the phone by calling 020 8359 3018.

The Legal Agreement Fee of £193.00 will be payable together with the payment for the crossover and any other associated works.

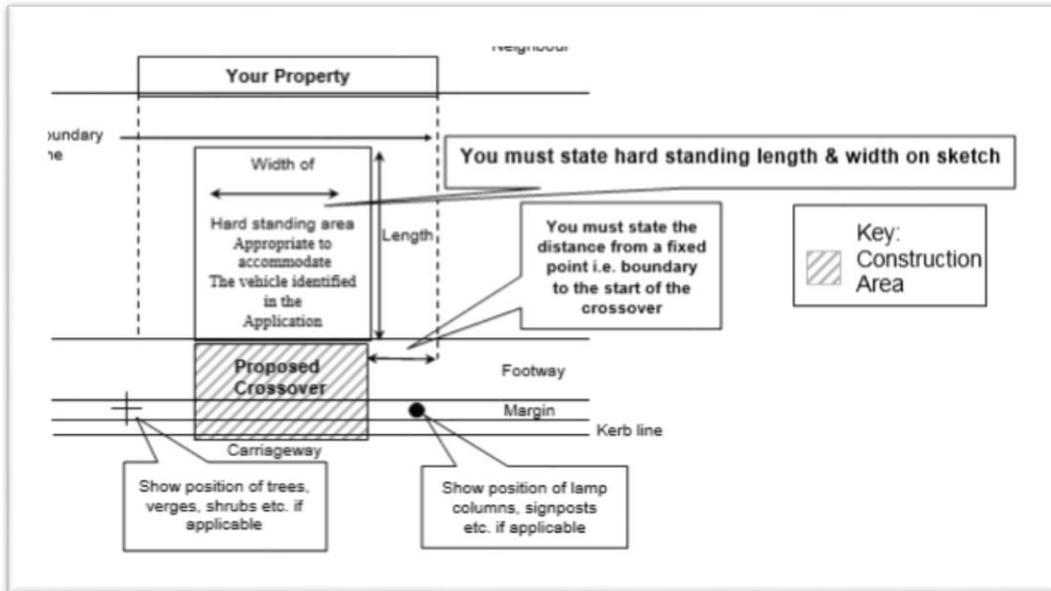
Any existing highway amenity such as a tree, lamp column or any other street furniture requiring a specialist officer visit will attract an additional fee of £144.00

If your proposal requires planning permission then a further ‘Planning’ fee will be payable with your planning application.

13. Other Points

- 13.1 In general, crossovers will be constructed using traditional paving slabs or materials to match those existing on the footway such as modular paving or tarmac. If the property falls within a Conservation area, the crossover will be constructed in keeping with the surface of the footway.
- 13.2 Properties that have an existing crossover but do not meet the current criteria are likely to have been constructed before these criteria were brought in. Consequently, these cannot be considered as having set a precedent when assessing new applications in the same road.
- 13.3 **Do not construct the hard standing area in your property, wait until you receive our approval for the crossover.** If your request is approved, you will need to construct the hard standing before the crossover can be constructed, and the hardstand must be level with the footway this is required so that the new crossover will not be damaged during the construction of the hard standing. The applicant is required to confirm this in writing and provide photographic evidence of completion.
- 13.4 If your application is approved you will receive a notification together with an estimate for the work to be undertaken by our contractors.
- 13.5 If your proposal needs to be modified or we suggest an alternative layout before it can be considered then a sketch showing the amendments together with a quotation will be sent.
- 13.6 If your proposal does not meet our criteria, we will let you know the reasons.
- 13.7 Only our approved contractors can undertake works for us in the public highway. For normal domestic crossovers, we require all work in the public highway to be done by our own appointed contractor. The contractor has been appointed after competitive tendering by the council with the aim of providing good value for money.
- 13.8 Your application should be processed approximately between twelve to eighteen weeks. However, where trees, lamp columns, parking bays etc. are affected your application will take longer to process.
- 13.9 Work **should not** be carried out on your property in anticipation of permission being given for a vehicle crossover. Works should only commence upon receipt of written approval.

Typical sketch



The area you need to park your car should be a minimum of 2.4m in width and be positioned at right angles to the footway. It is advised you leave a clear space of up to 1m between the hard standing and the front of the property and approximately 500mm between any vehicle and the public highway. **The hardstanding needs to be in a safe position within the property and not directly in front of the front door so as to ensure safe escape in any emergency, eg. Fire.**

14. Legal Issues

The legal issues are as below:

- all applicants will be required to enter into an agreement prepared by the Borough Solicitor
- the agreement will state that a vehicle must not overhang onto the public footway. The crossover applicant needs to demonstrate to the council that his or her vehicle(s) can park at 90 degrees to the kerb without overhanging onto the public footway
- the agreement will be a local land charge
- if the agreement is breached, we will be an escalating level of response, including fine and removing the right of passage over the footway under section 184 of the Highways Act 1980
- as a temporary measure bollards will be erected, followed by reinstatement of the footway
- full costs will be levied upon any application for re-instating the access over the footway and/or for removing the bollards
- there will be no minimum depth of forecourt.

15. Data Protection

The London Borough of Barnet Council is registered under the Data Protection Act 1998 for the purpose of processing personal data in the performance of its legitimate business. Any information held by the Council will be processed in compliance with the eight principles of the act. Information obtained on this form will only be used for the purpose of processing your application, and we may need to discuss some elements of your application with all property owners

16. Parking Bays

Where the location of the proposed crossover is affected by a parking bay then a separate approval from our Parking Design Team will be required before the parking bay can be removed or altered to allow the construction of the crossover. This approval will involve changes to the legal documents governing the parking bay, called Traffic Management Orders. The process involves a statutory consultation which includes public consultation and advertising.

There will be two additional fees associated with this process which are payable in advance and are non-refundable. The two fees cover the two stages involved in the process; the public consultation stage and final stage to remove/alter the bay in question. The fee for the final stage could be different depending whether any objections to the changes were received as part of the statutory consultation process. For each Traffic Management Order to modify, the fees are as follows: -

Stage 1: **£1415.00** to carry out the statutory consultation process which includes the drafting and advertising of the Traffic Management Order; and then assuming all statutory requirements are met;
Stage 2: **£607.00** or **£817.00**, if objections have been received, for altering the Traffic Management Order

Where a parking bay would be affected by the proposed crossover, we will:

- Process your crossover application form in the normal way, but approval will be conditional and subject to confirmation from our Parking Design Team that the parking bay can be removed or relocated. The cost of crossover construction would be notified to you with the conditional approval but, at this stage, only the parking bay consultation fee (Stage 1) as appropriate would be payable before we can start this process.
- Upon the payment of the consultation fee, the Parking Design Team will conduct the necessary consultation for the changes to the Traffic Management Order(s). Please note that the consultation fee is payable in advance, it covers the Council's cost of carrying out public consultation and advertising and is **non-refundable irrespective of the outcome**.

- At the end of this stage you will receive a letter confirming whether approval to remove or alter the parking bay has been given.
- If approval has been given, the final cost of removal/ relocation of the parking bay (Stage 2) as well as the cost of the crossover construction is payable.
- Works for the construction of the crossover will only commence when all payments for the removal/relocation of the bay as well as the crossover construction have been received in full.

Important

It is a statutory requirement that if a proposed Traffic Management Order is to be made permanent then it must be done within two years of the proposals being advertised. Please bear this in mind when planning for your crossover as failure to do this would require the proposals to be re-advertised with charges applied at the prevailing rate.

How your information will be used:

Barnet Council will collect and use the information you give us to undertake our functions as a local authority and deliver services to you. It is our responsibility to ensure that your information is kept safe. Where necessary and legally allowed, we will share your information with trusted external organisations, commissioned partners and contracted service providers in order to deliver services and support to you.

The information we collect may be used to better understand your use of our services and assist us in improving our services. This is to ensure we are using public funds in the best possible way. Under our duty to protect public money we may use the information you have provided for the prevention and detection of crime.

For further details of how we use your information and to understand your rights please visit www.barnet.gov.uk/privacy or email data.protection@barnet.gov.uk to request a full copy of our privacy notice