

Vehicle Crossover Application Guidance Notes

Applying for a crossover/extension that will be completed during a Planned Footway Relay.

During planned footway works applications received for a crossover/extension will be eligible for a discount of the construction costs, however if any of the following criteria cannot be completed or approved before the works to relay the footway are completed the discount will not be available.

These guidance notes are provided to help the applicant/agent 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 the application, we are required by law to make sure the applicant/agent are following the basic criteria:

- a) That 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 6 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 (Section 184). 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 is required, may also require planning permission; see point (5).

To enable us to process the application quickly please provide all the details as requested in the attached application form. Failure to do so, will delay the application being processed.

The item numbers correspond to those on the application form.

1. Name and Address of Applicant

The applicant 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

The applicant/agent 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 the applicant/agent 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 to ensure safe escape in any emergency, e.g. Fire.

4. Type of Application

Please note that domestic crossovers are only suitable for vehicles up to a maximum weight of 3500kgs.

5. Planning Permission

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
- f) the access is likely to affect a tree, which is protected by a Tree Preservation Order.

In cases where planning permission is required we will advise the applicant/agent in writing to contact Barnet Planning Team. Should an assessment be needed, the applicant/agent will incur a further assessment cost. 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.

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

Residents of Hampstead Garden Suburb will need to enclose formal consent from the Hampstead Garden Suburb Trust Limited for the hardstanding and crossover. Failure to include consent from Hampstead Garden Suburb Trust Limited will result in the application being immediately rejected.

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. The maximum width allowed is 4.2 metres. As the paving slabs are 0.6 metres 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 2.4 metres.

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.

However, a second crossover may be permitted where:

- The property fronts a road where a second crossover would enable the formation of a carriage drive and the garden is deep enough to accommodate this so that vehicles do not have to reverse either onto or off the highway. In this case each crossover would be a maximum of 3.6 metres each.
- The property has an existing crossover and it is deemed suitable for a second crossover to be provided to allow additional cars to be parked on the forecourt. In this case the second crossover would be a maximum of 3.6 metres.

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

7. Existing Use Information

If the applicant/agent is 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 the applicant/agent is a Barnet Homes resident, please advise the name of the applicant/agent's 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, trees etc. Normally a minimum distance of 1.2 metres will be required between a proposed crossover and any existing street furniture. Should a visit be required by a specialist officer, the applicant/agent will incur a non-refundable cost for the assessment.

In cases where we approve or propose works and which also require removal and/or replacement of street furniture, (including trees) the cost of such works will be borne by the applicant. Please note that removal of street furniture is not always possible and in these cases, domestic crossover applications will be refused.

9. Levels and Finish

The crossover will be built to match the proposed levels of the footway adjoining the site. The crossover will be finished with approved materials, depending on the surface of the footway and surrounding area. If the property falls within a conservation area, the crossover will be constructed in keeping with the surface of the footway.

10. Drainage

It is the responsibility of the applicant/agent 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. The applicant/agent's application may be refused if the applicant/agent does 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 the applicant/agent's 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. Permanent Front Boundaries

Where a crossover is proposed, it is essential that an appropriate boundary is provided to the remainder of the frontage. This is required both to prevent illegal use of the pavement by vehicles and to maintain the appearance of the street. If the crossover application is approved, construction of the hard standing and a suitable boundary will need to be in place before the crossover can be constructed.

- If the proposed crossover is stand-alone (i.e. not joined onto a neighbour's crossover on one side) the applicant will need to build / retain a permanent boundary across the front of the property. The location will need to be agreed with the council.

OR

- If the proposed crossover is to be joined to a neighbour's crossover the applicant will need to build / retain a suitable permanent boundary across the front of the property on the other side of the line sprayed on the footway to indicate the width of the proposed crossover

If applicants are building a new permanent boundary, acceptable options are:

- a wall or fence

- permanent landscaping (grass/plants) on raised beds
- posts with a minimum diameter of 75 millimetres and placed no more than 1.5m apart.

The boundary options listed above must have:

- appropriate foundations with a minimum depth of 30 centimetres (foundations are a part of the structure under the ground that distribute the weight and provide stability to the part above)
- a minimum height from the ground of 30 centimetres
- a maximum height from the ground of one metre

12. Amenity/Frontages

When considering the layout of a hardstanding and the position of a proposed crossover, the applicant / agent should consider any existing green amenities such as a grass verge, hedgerow, flowerbeds.

Any applications for crossovers where there is impact on flowerbeds or shrubs on the highway will not be considered. In addition, if a grass verge is 2 metres deep or more on the highway, the application will not be considered. If a site visit is required by an officer the cost of the visit will be borne by the applicant and the cost will not be refundable. Any costs of alterations 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 scene 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.

13. Trees

All crossovers near a tree will be referred to the council's Tree Team who will refer to criteria as detailed in the council's Tree Policy before an application is considered. Please note that this inspection will incur an additional cost.

There are three scenarios possible with crossovers close to trees:

- The tree is considered an amenity and is to be retained and the crossover refused.
- Engineering alternatives will be considered which would allow the tree to remain and the crossover installed. In this situation, a trial excavation may be required.
- The tree is found to be in poor health or deemed to be of low amenity and in the interest of sustainability, the tree can be removed and replaced.

If the tree removal is refused and there are no suitable alternatives to protect the tree, then the crossover application will be refused.

In all cases where it is agreed to remove a street tree, the applicant/agent will be required to pay for the cost of its removal and replacement to be located, wherever possible, elsewhere outside their frontage. If engineering alternatives and/or a trial excavation is required, the applicant/agent will be required to pay the cost.

14. Fees

14.1 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.

14.2 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 **£141.26** and this is **non-refundable** in any instance, as it covers a site visit to assess the application. Please note that this fee is for the assessment of the vehicle crossover only. Should the application be successful, the applicant/agent will be provided with a quote for the work which will need to be paid within 3 months of the quote being received. If the council has not been contacted within the 3 month timeframe, the applicant/agent may be required to start a brand new application and pay the non-refundable domestic crossover assessment fee.

Application fee **£141.26** can be made using a Credit/Debit card. Please supply a daytime contact number, once the application has been processed a member of the crossover team will call to take a secure payment. Alternatively, payment can be made by Bank Transfer (Details on request).

The Legal Agreement Fee of £208.01 and will be payable together with the final payment for the crossover and any other associated works. This fee is non-refundable.

14.3 Any existing highway amenity such as a tree, lamp column or any other street furniture requiring a specialist officer visit will attract an additional non-refundable fee of **£155.20**. Should a tree or street furniture be required to be removed and/or replaced or relocated, the applicant/agent will be provided with a quote and incur the costs of these additional works should they wish to proceed with the domestic vehicle crossover application.

14.4 If the applicant proposal requires planning permission then the applicant will need to contact planning and pay assessment cost.

14.5 If the location of the proposed crossover is affected by a parking bay then 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 will involve changes to the legal documents governing the parking bay, called Traffic Management Orders. The process involves a statutory consultation which includes a public consultation and advertising. There will be two additional fees associated with this process which are payable in advance and are nonrefundable.

The first stage of the process (stage 1) requires a fee of **£1468.65** payable in advance and will cover the drafting and advertising of the proposed changes to Traffic Management Order, and carrying out the associated consultation. Following this consultation if there are no objections to the proposed parking changes your final crossover quotation will be prepared and will include an additional fee of **£710.43**, (stage 2) to complete the final amendment of the Traffic Management Order(s) however, if objections have been received but not upheld it this fee will be **£923.16**. and is in addition to the Crossover Construction Cost.

15. Other Points

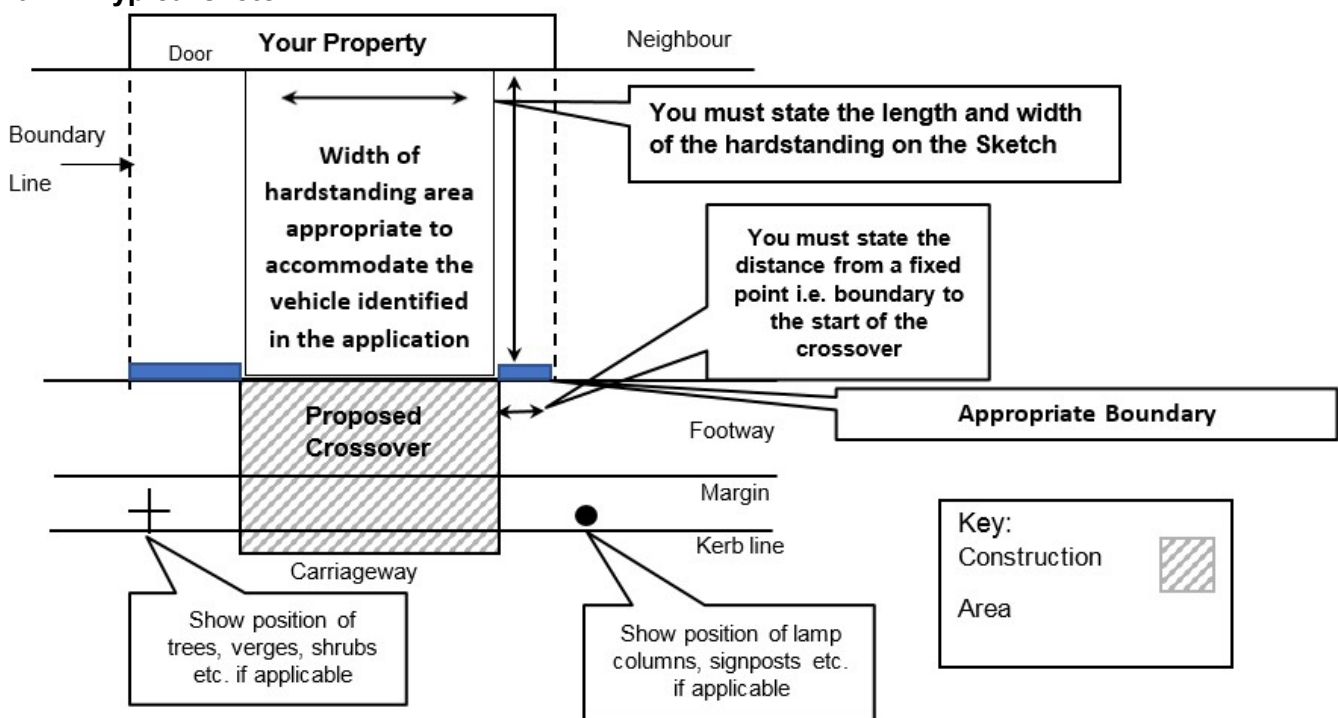
15.1 Properties that have an existing crossover but do not meet the current criteria are likely to have been constructed before these criteria were brought in. Consequently, these cannot be considered as having set a precedent when assessing new applications in the same road.

15.2 **Do not construct the hard standing area in the applicant/agent property - wait until the applicant/agent receive our approval for the crossover.** If the applicant/agent request is approved, the applicant/agent will need to construct the hard standing before the crossover can be constructed, and 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/agent is required to confirm this in writing and provide photographic evidence of completion within 3 months of the quote being provided. If the council has not been contacted within the 3 month timeframe, the applicant/agent may be required to start a new application and pay the non-refundable domestic crossover assessment fee.

- 15.3 If the application is approved the applicant/agent will receive notification together with an estimate for the work to be undertaken by our contractors, at which the applicant/agent has 3 months to confirm that they wish to proceed with the works. If the council has not been contacted within the 3 month timeframe, the applicant/agent may be required to start a new application and pay the non-refundable domestic crossover assessment fee.
- 15.4 If the applicant/agent 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. If the Council has not been contacted within the 3 month timeframe, the applicant/agent may be required to start a brand new application and pay the non-refundable domestic crossover assessment fee.
- 15.5 If the applicant/agent proposal does not meet our criteria, we will let the applicant/agent know the reasons.
- 15.6 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.
- 15.7 The application should be processed approximately between twelve to eighteen weeks. However, where trees, lamp columns, parking bays etc. are affected the application will take longer to process.
- 15.8 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.

16. Typical sketch



The area you intend to park your vehicle should be a minimum of 2.4m in width and be positioned at right angles to the footway. It is advised the applicant/agent 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 to ensure safe escape in any emergency, eg. Fire.

17. 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.

18. Data Protection

The London Borough of Barnet Council is registered under the General Data Protection Regulation (2018) 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 regulation. Information obtained on this form will only be used for the purpose of processing the applicant/agent application, and we may need to discuss some elements of the applicant/agent application with all property owners

19. 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 an additional fee associated with this process that is payable in advance and non-refundable. The fee covers two stages involved in this process; the public consultation stage and final stage to remove/alter the bay in question. (See section 14.5 for fees).

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

- Process the applicant/agent 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 the applicant/agent with the conditional approval but, at this stage, only the parking bay consultation fee as appropriate would be payable before we can start this process (See section 14.5 for fees).
- Upon 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** (See section 14.5 for fees).

- At the end of this stage the applicant/agent 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 as well as the cost of the crossover construction is payable (See section 14.5 for fees).
- 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 the applicant/agent crossover as failure to do this would require the proposals to be re-advertised with charges applied at the prevailing rate. (See section 14.5 for fees)

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