VEHICLE CROSSING POLICY – SWINDON BOROUGH COUNCIL

1. General

Using Section 184 of the Highways Act 1980, the Highways Authority has the authority to construct crossings or to require the occupiers of premises to construct vehicle crossings in certain circumstances, in exercising this power the Highways Authority must have regard to safe access to the premises and the safe passage of vehicles on the highway, as well as their on-going maintenance of the access.

2. Highway Safety

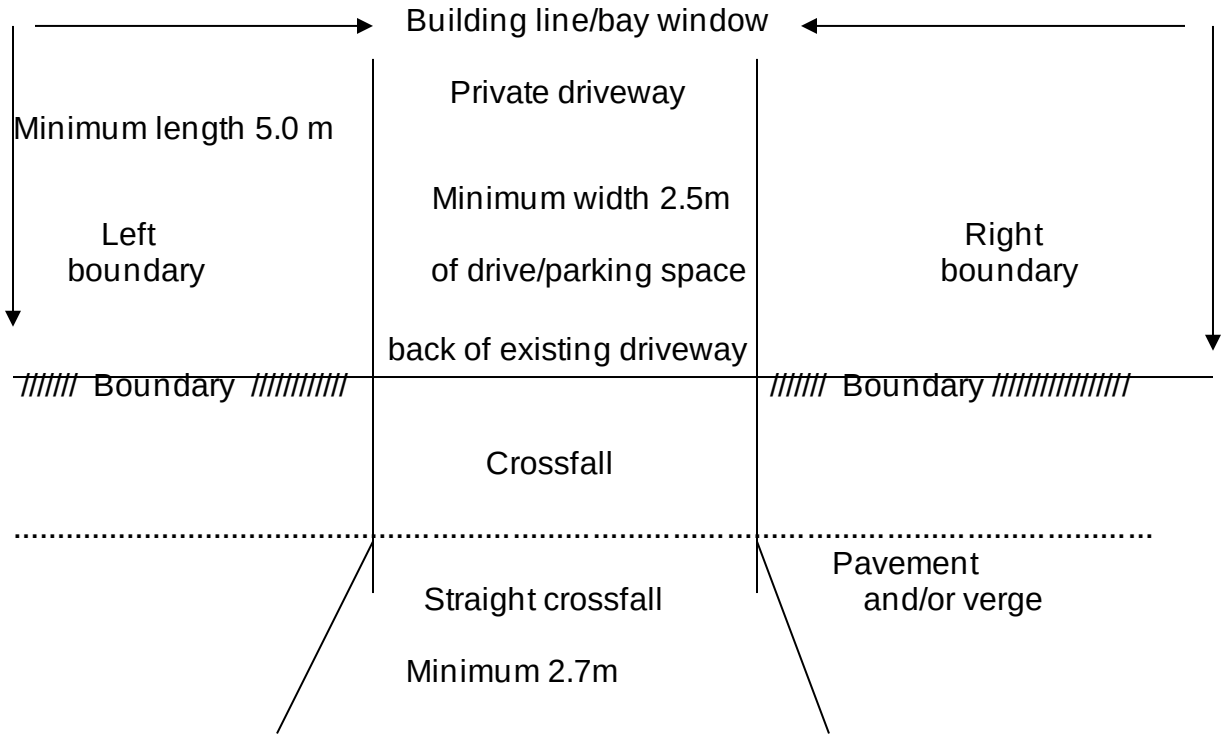
Highway safety considerations shall take into account factors such as proximity to a junction, roundabout, traffic signals, pelican, or other pedestrian crossings, or where there is inadequate visibility. These are almost invariably subjective judgements, which may also depend on a variety of other site characteristics/factors such as volume & speed of traffic, width of carriageway, existing service roads, footway and/or verge. In these cases, the expert advice of the Council's Planning Transportation Unit will be sought.

3. Dimensions of property frontage

3.1 Driveway Dimension Requirements

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

The minimum required clear depth from front of building/bay window to boundary to the back of the footway is 5.0m



Desired 3.6m
Maximum 5.4m

KERB| | | RAMP | DROP | DROP | DROP | RAMP | | KERB | |

4. Vehicle Crossing Dimensions

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

The maximum crossing width (lowered kerb length) is 2.7 to 5.4m for residential accesses. This equates to 3 full length kerbs stones to 6 full length kerb stones.

The maximum crossing width for Commercial accesses shall be 6.4m.

Commercial accesses shall be subject to the appropriate planning process / special authorisation.

The minimum crossing width (lowered kerb length) is 2.7m (residential)

4.1 Widening of existing crossings

Subject to all criteria, an existing crossing may be widened to a maximum overall width of 3.6 to 5.4m (location dependant)

Minimum spacing between crossings is 1.8-2.4m. Where residential vehicle accesses are proposed with less separation that the above the length, dropped kerbs shall stretch fully

The two crossings shall be separated by at least one/two/three kerbstone (0.915m of full kerb face) or a minimum of 0.8m of full face kerb to prevent otherwise the creation of a double width crossing and to provide adequate facilities for pedestrians.

5. Hard standing controls

The applicant shall arrange for and have installed a suitable surface within the property frontage prior to construction of the vehicle crossing.

In order to protect the Borough's suburban character and for environmental sustainability reasons the Highway Authority actively encourages careful planning of the hard standing construction. The proposal should minimise any negative impact and maximise positive impact.

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

In all cases the frontage area should consist of a minimum of 33% (one third part) soft landscaping or permeable material. Materials will not be considered permeable where bedded on an impermeable base.

The hard standing must tie-in flush to the back of footway level.

Properties with 'unbound' gravel, shingle, loose stones or similar surfaces must provide a minimum 1.0m of hard standing across the width of the open frontage. This will prevent the egress of loose material onto the highway.

6. Drainage

The applicant shall provide suitable drainage to prevent surface water discharging onto the highway prior to the construction of the crossing.

Enforcement of this requirement is possible under section 163 of the Highways Act (1980)

Recent changes to planning legislation requires that any hard surfacing of an area over 5 square metres will require planning permission unless that surface is permeable, and rainwater drains away naturally into the ground rather than into the public drains in the highway. Where you can satisfy the Highway Authority that the surface proposed will be permeable and rainwater will drain away naturally or into a soakaway or similar, then planning permission will NOT be required. If this is not possible, it is almost certain that planning permission WILL be required. If you are unsure as to whether your hard surface will require planning permission, contact the Planning Department for further advice.

What is the problem with paving over front gardens?

Serious flooding across the UK in 2007 caused loss of life, disruption of peoples' lives, and damage estimated as about 3bn GBP. In many cases flooding happened because storm water drains & sewers could not cope with the amount of rainwater flowing into them. The effects of climate change mean that this kind of heavy rainfall event and flooding may occur more often in the future.

The drains & sewers in many urban areas were built many years ago and were not designed to cope with the present amount of rainfall the UK receives. More water is entering the drains & sewers from new developments and paving front gardens adds to the difficulties.

Although paving over one or two gardens may not seem to make a difference, the combined effect of lots of people in a street or area doing this can increase the risk of flooding.

The harm caused by paving gardens is not limited to just flooding. Hard surfaces such as concrete and asphalt collect pollution (oil, petrol, brake dust etc) that is washed off into the drains. Many drains carry rainwater directly to streams or rivers where the pollution damages wildlife and the wider environment.

In older areas the rainwater may go into the foul water sewer which normally takes household waste from bathrooms and kitchens to the sewage treatment works. These overflow into streams and rivers in heavy rainfall. As more water runs into foul sewers from paved areas there are more frequent overflows, passing untreated sewage into watercourses.

What is a 'permeable surface'?

Loose gravel

This is the simplest type of construction. The driveway sub-base is covered by a surface layer of gravel or shingle. Gravel with different shapes and colours is available to make the surface more decorative. A strip of block paving or asphalt at the entrance can limit the loss and spread of gravel from the drive.

Open Texture Tarmacadam

Porous Tarmacadam is a porous asphalt system that provides a complete SuDS solution for surface water management. The system allows water to pass through it.

Hard permeable and porous surfaces

Hard surfacing which allows water to soak into it can be built with porous asphalt, porous concrete blocks, concrete or clay block permeable paving. The material has open voids across the surface of the material or around the edges of blocks that allow water to soak through.

To work effectively permeable surfaces should be laid over a sub-base which differs from traditional hard-core which has a lot of fine material in it (sand and silt) that stops water passing through it easily.

For permeable and porous driveways different sub-base materials are required that allow water to pass through and also store the water for a while if it cannot soak into the ground as fast as the rain falls. Various materials are available, and two examples are known as 4/20 and Type 3 sub-base.

Materials for permeable sub-base are described as open graded and consist only of larger pieces of stone that have spaces between to store water.

Rain gardens and soakaway drainage

An area of garden can be formed into a rain garden – a depression to collect and store rainwater running from conventional impermeable surfaces (asphalt, concrete and block paving), before slowly allowing it to soak into the ground or to flow to the drains.

The depressions can be located along the edge of the drive or as a larger area in the garden at a low point. The depression can be planted with suitable plants to help slow run-off, or gravel or cobbles can be used as decorative features.

There may be a gravel-filled trench below it to increase the storage capacity and allow water to soak into the ground more easily.

Soakaways are a similar idea except that water is piped into a gravel-filled trench or special container and allowed to soak into the ground.

In some areas many houses have the roof downpipes connected to soakaways. They are more suitable for houses with larger front gardens as they require space and need to be located a suitable distance from buildings.

All soakaway outfalls shall comply with BRE 365 and building regulations.

Wheel tracks

To keep hard surfaces to a minimum a driveway can be created that has just two paved tracks where the wheels go. These can be surfaced with blocks, asphalt, or concrete, but to provide a durable construction they should have sub-base below.

The area between and around the tracks can be surfaced in gravel or planted with grass or suitable low growing plants. Water must drain from the tracks into the surrounding permeable area. Typical width is between 300mm and 600mm for each track

7. Street Furniture

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

A minimum clearance distance between the edge of the crossing and any item of street furniture of 600mm is required

Relocation of street furniture should take into account the impact on neighbouring properties and, where practicable, allow for future crossing construction.

8. Second Crossings

There will be a presumption in favour of allowing second crossing on heavily trafficked roads (classified) for road safety benefits of allowing vehicles to enter and leave in a forward aspect subject to the considerations on trees.

On all other roads, there will be no consideration to allow more than one crossing at any one address.

9. Controlled Parking Zones

Applications within CPZs will be required to cover the costs associated with any necessitated alterations to on street parking or waiting restrictions.

10. H-Bar Markings

White H-Bar markings are no longer issued to the highway in Swindon, therefore cannot be painted to the carriageway at the front of your vehicle crossing.

11. Planning Considerations

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

Properties which are statutorily listed, or which are within Conservation Areas may require Council consent for the changes involved in the boundary or setting of the building. Specific design advice is available in policy statements and design guides which have been published; this advice considers the objectives if preservation or enhancement of character and appearance.

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

12. Conservations area considerations

Where applications are proposed in areas of conservation interest consultation with the Borough Conservation officer shall be undertaken to obtain their views and requirements.

Where certain materials are requested, these shall be agreed with the applicant prior to approval being grated.

Any requirements regarding surface finishes or dimensions will be indicated within the approval letter and inspected/monitored on-site during construction works.

13. Crossings on or close to junctions

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

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

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

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

*In this context Strategic route means roads highlighted within Appendix A of Swindon Network Management Plan which is split into four categories as defined in the Council's Network Management Plan

Note: All access on to the Highway needs to be authorised regardless of the nature of the road. The access needs to be constructed and finally approved by the Council. Any departure from this would require an authorisation by the Council's Street Works team.

Where access is required to the side of the front garden it should preferably be located as far from the junction corner as possible, but in any event the tapered kerb must not start less than 10m from the channel of the main road or 1.8 metres from an existing dropped kerb for pedestrians (whichever distance is greater from the channel line)

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

14. Crossing Surface Finishes Type

The choice of surfacing type (i.e block paving, bitmac) is determined by the existing adjoining footway and crossing construction. In some instances, the applicant may have the option to choose a particular surfacing material where the Council deems appropriate.

15. Highway Trees

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

Removal of trees or root pruning required to facilitate crossing construction, will only be carried out subject to the criteria stipulated in the Council's tree strategy.

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

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

If the tree is healthy and has a foreseeable life of more than 5 years, then the tree will remain, and the application will be refused.

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

At the discretion of the Council's Arboriculture officer a non-mature, healthy tree may be removed. If practicable it shall be replanted at the nearest appropriate location. If replanting is deemed impractical, two replacement trees will be required.

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

If the proposed crossing falls within the protective zone the application will be refused. However, the applicant may pay for a trial excavation (within a grass verge or any footway construction) to determine if roots are present within the required construction depth. The excavation will be permanently reinstated prior to the construction of a vehicle crossing. Excavation and reinstatement costs, to be paid by the applicant, shall be based on the Council's current contract rates.

Fees/Charges

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

The estimate shall be valid for three months from date of postage.

Applicants requesting crossing works based on an 'elapsed' estimate will be required to re-apply.

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

All associated fees for vehicle crossings will be reviewed annually.

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16. Appeals in relation to turned down applications

To make an appeal against a refused application, you will need to email streetworks@swindon.gov.uk where the Street Works Manager or Senior Network Coordinator will investigate the application details and respond with a final outcome.

17. Enforcement

17.1 Illegal crossings

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

In cases where vehicles access a property by means other than an approved crossing the Council will take appropriate enforcement action under Section 184 of the Highways Act (1980)

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)

VEHICLE CROSSING APPLICATION GUIDELINES

A vehicle crossing is defined as a section of kerb, lowered to provide vehicular access.
The Highway Authority needs to be involved

- To make sure permission is granted from the relevant Council departments before work is carried out

- To ensure that all work is carried out to the required specifications as laid down under section 184 of the Highways Act 1980
- To avoid damage to underlying utility apparatus
- To allow only qualified contractors to work on the public highway
- To make sure that all work is carried out safely without endangering the public
- To make sure the access when installed will not endanger pedestrians, the user and other road users

You must not commence any works until you have highway authorisation.

The application form supplied by Swindon Borough Council can be used for highway authorisation for a new access or to extend an existing access.

The installation of a vehicle crossing can be costly, and you may like to contact approved contractors for quotes before applying. Approved contractors can be found on the following webpage: Vehicle Crossing Licence Application

Please contact the Planning department prior to submitting your application as you may require planning permission. If you live on a classified road, you will certainly need to gain planning permission, and planning permission may be required for a hardstanding area in any location if it exceeds 5 square metres.

Suitable drainage must be provided within the boundaries of your property and the driveway must be constructed to prevent water running on to the highway. This is encompassed within sustainable urban drainage systems (SUDS) for the effective management of rainwater run-off. The Planning department will advise on these issues.

For advice regarding planning permission please contact the Planning department on 01793 466340, email sbcdc@swindon.gov.uk or write to them at : 5th floor Wat Tyler House West, Beckhampton Street,, Swindon, SN1 2JH.

It is your responsibility to establish the location of mains and services within the construction area and to with the statutory undertakers (gas, water etc) to find out if their apparatus is affected by your proposals. Applicants should be aware that additional costs may be incurred, and these may include the relocation or removal of underground cables, cabinets, road signs, lamp- columns or trees.

For your application to be successful there must be a suitable parking area within your property. The hard standing (driveway) area must be at least 4.8 metres long, from the front of your house to the boundary of your property, and a minimum of 2.4 metres wide. There must be enough space for pedestrian access.
No part of a vehicle parked within your property may overhang the footpath.
Plants or structures within the locality of your crossing must be kept below 600mm so that visibility is not restricted.

If the frontage of your property does not meet the minimum criteria as detailed above, you may be able to apply for a special circumstances' application. This will consider the impact of granting or refusing permission after considering additional factors such as your personal circumstances and additional highway network considerations.

A standard crossing is equal to 2 x ramp kerbs and 3 x drop kerbs.
However, each vehicle crossing application is looked at individually and if you would like a wider crossing please specify your requirements on the application form.

If you use gravel or similar loose material for your hard standing a 1m* strip of concrete or tarmac must be provided behind the footpath to stop materials encroaching on to the highway. *5m wide if you live on a classified road

No financial assistance is available for the installation of an access. However, if you are a disabled person, you may be able to apply for a disabled facilities grant. You should contact the Social Services department for more information. The Social Services reception is in Clarence House, Euclid Street and the telephone number is Swindon 466900.

The construction of a vehicle crossing at your property does not give you any particular rights, except to drive across the footway to gain access to your property with a private or light goods motor vehicle. The crossing itself remains part of the public highway and after construction the Borough Council will be responsible for maintaining it and may alter it due to modifications in the footway or verge.

Please note that cars causing an obstruction to the footpath, or a vehicle crossing are a police matter. You can contact them on 0845 408 7000