

## Vehicle Crossing Policy & Application Guidance

Please read this information before making an application

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# Vehicle Crossing Policy & Application Guidance

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## About Vehicle Crossings

To take a vehicle safely across a footpath (and verge) to gain access to a property/site a vehicle crossing (also known as 'crossover' or 'dropped kerb') must be created.

To create access a section of kerb will be lowered and the footway (and verge) strengthened to avoid damage to any pipes and cables buried beneath.

## Legal

You have a right to make a request to us if you would like to create vehicle access or alter/remove an existing access.

As the local highway authority we are responsible for making the final decision. We may approve your request with or without modification, or may propose alternative works or reject the request.

Not every site will be suitable for us to approve. We need to ensure access and egress from premises is safe and to facilitate the passage of traffic.

### You don't need to make a request if your property/site is on a private road.

The vehicle crossing is never owned by the applicant/freeholder nor does it form part of the premises boundary. It simply shows a right of access and remains part of the public highway.

The following are unlawful and may lead to us taking enforcement or legal action, if you:

- drive across a footway or verge without a vehicle crossing
- create a new vehicle crossing without our approval
- have an approved crossing but your vehicle overhangs the footpath when parked, causing obstruction
- have an approved crossing but allow damage to be caused through incorrect use

## Other Permissions

Apart from our Traffic & Highways approval you may also need:

- [Planning Permission](#) from us
- [Environment Agency consent for vehicle crossings over main rivers](#)
- written consent from the freeholder/land owner of the premises (if that is not you)
- to check the deeds of the property, some may have conditions that restrict parking

It is your responsibility to obtain any other permission that is required.

Planning permission may be needed if the vehicle crossing:

- is proposed onto a [classified road](#)
- serves a premises classified as either a flat, a house of multiple occupation or commercial/business
- forms part of a development that requires Planning Permission
- falls within a [conservation area](#) and Conservation Area Consent is required
- affects the boundaries of a [listed building](#) and Listed Building Consent is required

If you need Planning Permission it **must** be granted before you make an application to the Traffic & Highways department.

There is no guarantee that if you receive Planning Permission for a vehicle crossing that you will automatically be granted Highways approval and vice versa. Applications for vehicle crossings made under Planning Legislation will be considered against a broader range of criteria in comparison to applications made under Highways legislation. They are separate regimes and different requirements apply to each.

## Our Policy

- **This policy is appropriate for** Householder/Domestic vehicle crossing requests. We will consider up to two vehicle crossing requests, at the same site, on the same application form.

Small developments (up to two dwellings, on the same site) will also be considered under this policy.

This policy is not appropriate for commercial premises or medium to large developments. Developers may be required to enter into a legal agreement to carry out works required on the highway as a result of planning permission being granted and should contact the Highway Department to confirm the most appropriate method of application.

- **We will consider all requests** for Householder/Domestic vehicle crossings.

We will assess each request fairly in line with current Statutory and Policy requirements.

**It is the site that will be considered against all requirements not vehicle type/size or occupier circumstances.**

When minimum standards are not met we will accept requests under exceptional circumstances. However, where the site fails to meet our criteria the applicant is required to demonstrate exceptional circumstances. These requests will be subject to additional consultation with no guarantee of approval.

**Where the parking space available does not meet the requirements the crossing will be refused. Installations of turntables will not be accepted as a solution.**

We are unable to consider requests that require other permissions (such as Planning Permission) that have not been received.

- We will accept requests via application forms received electronically or by post.

The application form must be accompanied by the application fee in full (or proof of exemption)

The application fee is non-refundable unless written instruction to withdraw the application is received from the applicant within 5 days of initial receipt.

The application must also be accompanied by scaled plans and relevant supporting information before it can be considered.

- **When making our decision we shall have regard to the need to ensure safe access and egress from premises and the need to facilitate the passage of vehicle traffic.**

We will provide a written decision.

A decision to approve a request is valid for one year, from the date of issue.

A valid decision to approve is transferrable to a new owner.

A new application, fee and supporting information will be required if a Decision Notice to approve has expired.

- **Refused applications can be reviewed** if you believe we have not followed our procedures or applied our criteria appropriately (made a mistake). If you believe this to be the case, you should write to us detailing where we have failed to comply.

Reviews will not be undertaken on the grounds of objection to current policy requirements or the presence of historic crossings.

We cannot review any objections to the current policy under the Corporate Complaints Procedure as this policy was a formal decision taken by the Council's Cabinet.

- We will maintain an approved list of Contractors. Applicants are responsible for choosing a contractor from this list and negotiating the price and work schedule with them.

The Contractor is responsible for liaising with the Utility Companies to ensure any apparatus is suitability protected.

We will inspect the Contractors work during construction and when the work is complete. If it is acceptable we will issue a completion certificate and the contractor will remain responsible for any maintenance for 2 years or until such a time as we accept responsibility.

- **Any vehicle access which becomes redundant following re-development is to be removed.**

- **Amended requests will require a new application, application fee and relevant supporting information.**

## Minimum Standards to be Met

The minimum standards required under this policy are:

### A proposed vehicle crossing must:

- be sited entirely within the curtilage of the property to which it serves (exception; when adjacent properties want a shared drive and a crossing to serve both sites)
- have visibility splays of 1.5m by 1.5m on each side where access meets any road which is a secondary distributor or higher classification (measured at 600m from ground level)
  - Access off roads of a lower category that is a secondary distributor route should also have sight visibility splays wherever possible
- not adversely affect the availability of on street parking

### A proposed vehicle crossing must not be:

- located on a bend (with the exception of low usage cul-de-sacs provided it will not lead to situations detrimental to highway safety)
- located where access and egress is situated within a taxi rank
- within 10m of a junction with high pedestrian movement or 15m in the case of major roads or busy junctions

### A proposed vehicle crossing must not result in the need to remove or relocate:

- a council owned tree
- a street light, other street furniture that has an electricity supply (non-electrified street furniture will be considered on a case by case basis)
- or amend an existing Traffic Regulation Order (TRO) (e.g. loading or parking restrictions etc)

### The proposed vehicle crossing and parking area must be constructed to ensure:

- for any tree in the immediate area of the dropped kerb appropriate root protection must be provided in accordance with British Standards (currently BS 5837 : 2012)
- the gradient of the crossing and the parking area are no steeper than 10%
- a length of verge no greater than the width of the proposed vehicle crossing is removed
- that water does not drain from the premises onto the highway
- if gates are to be fitted across the vehicle entrance they must be opened inwards

## Parking Area Size

The minimum size required for one car to be parked **wholly** within the property boundary, without overhanging the public highway, is:

Minimum Parking Area Required	Depth	Width
Classified Roads	8m	8m
Unclassified Roads –Parking at a Right Angle to the Highway	4.8m	2.4m
Unclassified Roads –Parking Parallel with the Highway	2.6m	6.5m

**Where the parking space available does not meet the requirements the crossing will be refused.**

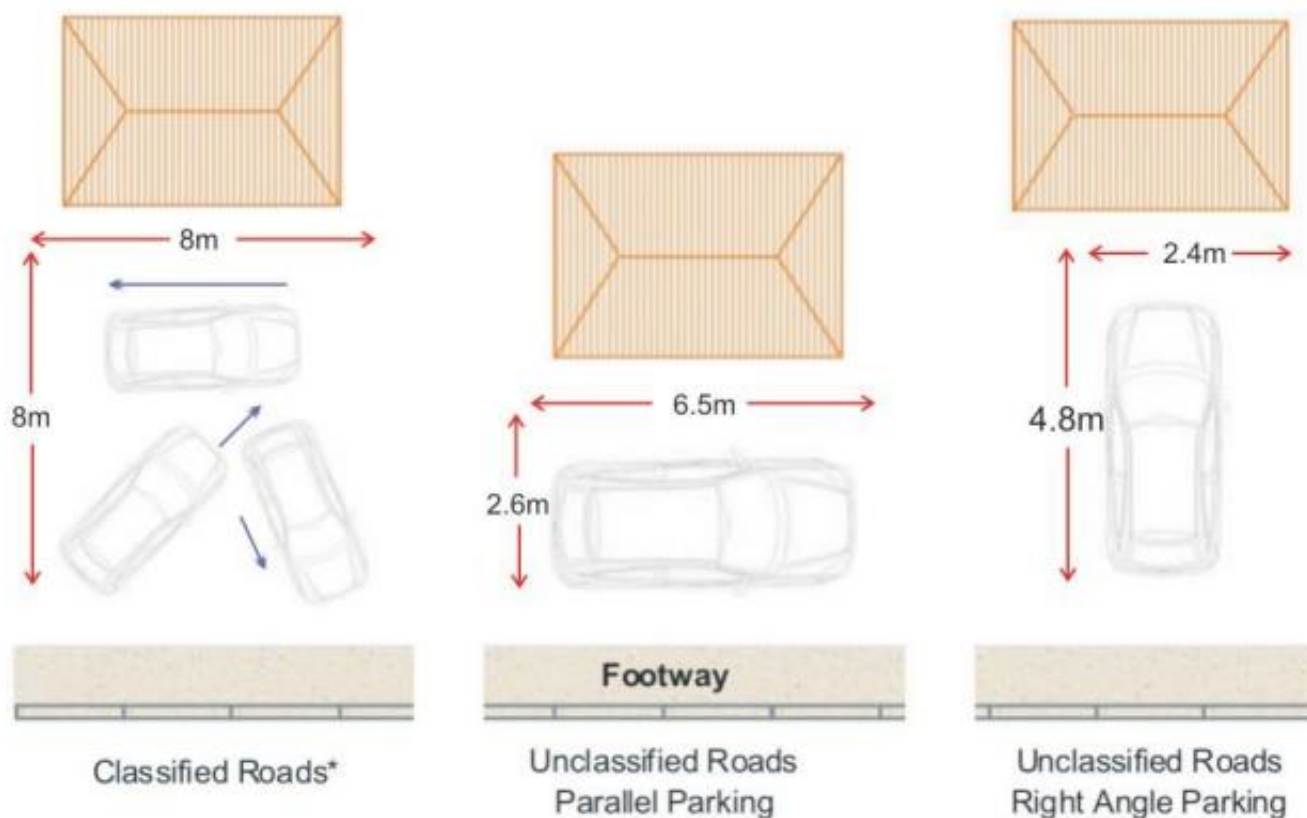
On classified roads a vehicle will be expected to:

- turn in a space equal to or greater than 8m by 8m
- in no more than a ‘three point turn’
- drive out forward onto the highway

The above also applies to lower category roads within 30 metres of a junction with a distributor road or strategic primary route.

A car parked in the parking space should not obstruct access to the main door of the dwelling.

Where adjoining properties share access within the property boundaries, when calculating the parking area half the width of the shared access can be taken into account.





## Vehicle Crossing Size

The standard width of crossing will be applied.

Standard widths have been set to help ensure road safety is not compromised, to retain sufficient kerbside space for all highway users and to ensure amenity value is not adversely affected.

Dropped Kerb Size	Standard Width	Maximum Width
Classified Roads	variable	variable
Unclassified Roads – Parking at a Right Angle to the Highway	2.44m	3.66m
Unclassified Roads – Parking Parallel with the Highway	3.66m	4.8m

Requests for extension to crossings will require specific justification and should not exceed the maximum width.

Separate 'In – Out' crossings will not be permitted.

Any existing access that becomes redundant following re-development should be removed.

# Application Guidance

## How to Apply

Check your site against the minimum standards required then fully complete an application form and return it to us with the supporting information needed.

If the minimum standards have not been met but you believe there are exceptional circumstances you can still apply but you must detail your reasons why we should consider the application.

Applications made under exceptional circumstances will be subject to additional consultation which may delay our decision.

Where adjacent properties require a crossing to serve both sites (shared driveway), one occupier should act on behalf of both parties and submit a single application.

Application forms are available from our website **[southend.gov.uk](https://southend.gov.uk)** and can be returned:

by email:

[Environment-Applications@southend.gov.uk](mailto:Environment-Applications@southend.gov.uk)

by post:

Southend-on-Sea Borough Council  
PO Box 6  
Civic Centre, Victoria Avenue  
Southend-on-Sea SS2 6ER

The following documents form part of your application request and must accompany your application form.

These items are mandatory:

- Site Location Plan
- Existing Plan
- Proposed Plan
- Application Fee

These items should be attached when applicable:

- Planning Permission, Listed Building and or Conservation Area Consent
- Environment Agency Consent
- Written permission from the freeholder/landowner (if that is not you)
- Application Fee exemption evidence

## **Plans**

It is important that your plans accurately show the site and clearly show what you are requesting.

Your plans will be sent to all internal and external parties who need to know about and be involved in the assessment of your request.

If your request is approved, the approved plans will also be required by the contractors.

This is what is required:

### **Site Location Plan – to identify the location**

- based upon an up to date map
- drawn at a scale of 1:500 or 1:1250
- show enough road names to ensure the exact location is clear
- the direction of North
- the site edged with a red line
- all buildings on site
- all public rights of way crossing or next to the site

### **Existing and Proposed Plans – (to identify the change requested)**

- drawn at a scale of 1:50 or 1:100
- the direction of North
- show boundary treatments (e.g. walls fencing and gates)
- the position of all trees on site and those on adjoining land (including public verge)
- the positions of any other obstacles such as street lights, bollards telecom boxes etc on the adjoining land, footpath or verge
- written measurements (including those to the boundary, the width of the dropped kerb and size of the parking area)
- confirm the scale the plans have been drawn at and on what size of paper e.g. 1:50 at A3

## Application Fee

The current application fee is £xxx.xx and is non-refundable. It covers:

- consideration of your request and the initial site assessment for suitability
- consultation with internal and external parties who need to know about and be involved in the assessment of your request

You can ask us to approve up to, two vehicle crossing proposals, at the same site, on the same application form.

Payments can be made to us:

- by cheque, made payable to Southend Borough Council
- by telephone, using a debit or credit\* card

\*A surcharge is currently applied to all payments made using a credit card

## Fee Exemptions

If the application is to create access for a disabled person living or intending to live in the premises, the application fee only is exempt. All other costs remain the responsibility of the applicant.

Please include one of the following with your application in support:

- A doctors letter
- Blue Badge

## Other Costs

Other costs you should expect to pay are:

- for any other Permissions you need to obtain
- for plans to be prepared, paid to your chosen provider
- all costs associated with constructing the crossing, paid to the approved contractor you have chosen, these may include:
  - a Permit to Work on the Highway (the East of England Permit Scheme) - this permit should be obtained by your contractor when works are scheduled and they may include this in your quote
  - the protection of any Public Utility apparatus (as required), paid either to your contractor acting on behalf of the Public Utility Company or directly to the Public Utility Company by you
  - for any protection measures required to ensure the flow capacity of a watercourse is not reduced

## Refunds

We will only refund the fee if we receive a written instruction from you to withdraw your application. This instruction must be received by us within 5 days of submitting your application. If you tell us after this time, the fee will not be refunded.

If your application is cancelled any fee paid will not be refunded.

## **Our Decisions**

Once we have assessed your request including any exceptional circumstances, we will send you a written Decision Notice.

As the local highway authority we are responsible for making the final decision. We may approve your request with or without modification, or may propose alternative works or reject the request.

Not every site will be suitable for us to approve. We need to ensure access and egress from premises is safe and to facilitate the passage of traffic.

The final position, size of the vehicle crossing and construction specification used will also remain our decision.

An approval from us confirms the site location is considered suitable, it does not confirm it is possible to construct the crossing. This will be established by your chosen contractor following their enquiries with the Public Utility Companies and through their initial on site excavations.

## **Application Reviews**

If your application has been refused and you believe we have not followed our procedures or applied our standards appropriately (made a mistake), you should write to us detailing your reasons. We will respond to you in 10 days.

**Email:** [Environment-Applications@southend.gov.uk](mailto:Environment-Applications@southend.gov.uk)

### **By post:**

Southend-on-Sea Borough Council  
Business Support Environment  
PO Box 6  
Civic Centre, Victoria Avenue  
Southend-on-Sea  
SS2 6ER

If you would like us to consider an amended request we will need a new application and fee.

## Summary of the Application Process

There are three stages to the application process which takes approximately 6 weeks:

### Stage 1 - Application Registration

Within 5 working days of receiving your application we aim to send you a letter/email to acknowledge receipt and confirm your application number.

Failure to provide the required information and or application fee will delay your application or it may even be cancelled.

### Stage 2 - Site Assessment and Consultation

Once we have consulted others who need to be involved in making the decision we will assess the site to:

- ensure details on your plans are accurate
- to confirm the site location is suitable

It is not normally necessary for you to be on site when the officer visits. An appointment will only be made where access is currently restricted.

If your plans are inaccurate it will delay your application or could cause it to be cancelled. **We may need you to supply amended plans.**

**If your application has been made under exceptional circumstances it is subject to additional consultation at this stage so this stage may take longer.**

### Stage 3 - Decision Notice

Once we have assessed your request including any exceptional circumstances we will send you a Decision Notice to confirm if your application has been approved or refused.

If the site location has been assessed as unsuitable we will detail our reasons for refusal.

If your application is approved we will send you a:

- Decision Notice confirming;
  - any conditions that have been applied to the consent
  - what your contractor is responsible for
- copy of the approved plan
- pack for your chosen contractor that contains:
  - a copy of the Decision Notice
  - a copy of the approved plan
  - Public Utility information

**Approvals are valid for one year from the date the Decision Notice is issued.**

If an approval expires and you have not instructed a contractor, a new application (including fee) will be required if you still want to proceed. This is to allow for any changes made to the minimum standards, to contractors on our approved list and environmental changes that may affect the site.

**You should obtain quotes and arrange for the work to be done by contacting contractors on our approved list.**

## Frequently Asked Questions

### *Common reasons applications may be refused*

- The request is considered to be detrimental to the efficient and safe use of the highway
- There is a conflict with other legislation/policy
- Other permissions are required and have been refused or not yet obtained
- The minimum size required to park one car within the boundaries of the property has not been met
- Availability of on street parking will be adversely affected
- The proposed dropped kerb falls within the root protection area of a tree
- The proposed dropped kerb affects a traffic regulation order (TRO)
- There is a street light or other street furniture that has an electricity supply that affects the location

### *What is the Tree Root Protection Area (RPA)?*

This is the minimum area plotted as a circle, with the tree at the centre, where the roots and soil structure must be protected as a priority to avoid irreparable damage to the tree.

As a guide (as specified by British Standard 5837), for a single tree stem, the RPA is calculated as:

- 12 times the stem diameter
- the stem diameter is measured at a height 1.5m above ground level

Construction of the vehicle crossing must not fall inside this area.

### *Can I remove a tree within my boundary to have a vehicle crossing?*

Before doing any works to a tree you should:

- check if Planning Permission is required, refer to the information relating to [Tree Preservation Orders and Trees in Conservation Areas](#)
- apply for the dropped kerb first, in case your application is refused

### *Who is responsible for maintaining the vehicle crossing?*

Ultimately, it is our responsibility as it forms part of the public highway.

Initially, your Contractor is responsible for a period of 2 years or until such a time as the responsibility has transferred to us.

To request a repair, call our Highway's Department on 215003 or email [council@southend.gov.uk](mailto:council@southend.gov.uk). We will check who is currently responsible.

- If it is us, we will arrange an inspection and for the necessary repairs to be carried out when appropriate.
- If it is the contractor, you should contact them to carry out the necessary repairs.

If a repair is required because incorrect use has caused damage, any cost will be borne by the owner/occupier. Correct use of the crossing is the owner/occupiers responsibility.

### ***I already have a vehicle crossing, can it be altered?***

That will depend on the site and the circumstances.

To make a crossing wider will require specific justification and approval may not be given especially in areas where there is existing levels of parking stress. Our standard widths have been set to help ensure road safety is not compromised, to retain sufficient kerbside space for all highway users and to ensure amenity value is not adversely affected.

A crossing cannot be altered if it is simply too steep for your current vehicle. It must be constructed to match the existing levels of the footpath and road.

### ***How long does it take to build a crossing?***

It will generally take your contractor up to 5 days (including clearing the site).

The normal working hours permitted for construction are:

- Monday to Friday between 7:30 and 18:00 hours
- Saturday between 7:30 and 13:30 hours,
- No working on Sundays or public holidays.

### ***What type of parking surface should I have?***

There are a number of types of surface to choose from:

- Planted and gravel driveways
- Wheel tracks
- Reinforced grass and gravel
- Hard permeable and porous surfaces

Guidance on permeable surfacing is available from the [planningportal.gov.uk](http://planningportal.gov.uk)

Whichever surface is chosen it is important to ensure the area:

- is constructed sufficiently to support a vehicle
- uses a method of construction that controls and reduces rainfall runoff (by using permeable surfaces or soak-away) to reduce the impact of flooding
- is constructed to the same level of the footpath to ensure sufficient support and to avoid any damage
- avoids loose material (e.g. gravel) within 1 metre of the footpath or highway

### ***How to become an approved Contractor***

If you would like to become one of our contractors approved to construct vehicle crossings you will need to:

- meet our minimum qualifying criteria
- submit an application form and fee

Further information and the application form and all relevant details will be available on our website.



