

HIGHWAY VEHICLE/MOTORCYCLE CROSSOVERS

APPLICATION GUIDANCE

AND

SELF-ASSESSMENT



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Vehicle/Motorcycle Crossing Application Guidance and Self-Assessment

Important Information

This guidance has been compiled to assist residents in making an application for a vehicle/motorcycle crossing. Its purpose is to make applicants aware of the criteria adopted to grant permission to have a vehicle/motorcycle crossing constructed. Please note that whilst you are paying to have a dropped kerb installed to access your property, you will not own it. The footway is public highway and as such remains in the ownership of the Council.

Before submitting your application, you are advised to check your proposal against the quick self-assessment checklist and refer to the criteria detailed within this document. If you are unsure of any aspect, then please speak to a member of the Highways Team on (01634) 333333, who will be able to give you further guidance or clarification. Please note that once your application is submitted and the inspection fee has been paid, there is no option of a refund if we either refuse your crossing or you choose not to proceed.

In most cases, applications are successful, however in certain circumstances it may be necessary for an application to be refused if it does not meet the criteria detailed in this document. The Council's decision as to whether the application will be approved or refused is final. An appeal will not be considered due to parking conditions in your area or other vehicle crossings that may have been constructed under previous criteria.

Quick Self-Assessment Checklist

1.	Is your private hardstanding parking area a minimum of 4.8m deep and 2.4m wide for right angle parking or a minimum of 2.6m deep and 5.6m wide for parallel parking?	YES/NO (If NO, see note below)
2.	Will your proposed crossing be more than 10m away from any junction?	YES/NO (If NO, see Section 4)
3.	Will your proposed crossing be more than 1m away from a streetlight or telegraph pole?	YES/NO (If NO, see Section 7)
4.	Is there a tree in the footway near the proposed crossing?	YES/NO (If YES, see Section 8)
5.	Do you need Planning Permission because you live on a Classified Road or are altering the levels of the land or changing its use?	YES/NO (If YES, see Section 9)
6.	Are there Utility Covers in the area of the proposed crossing such as BT or Virgin?	YES/NO (If YES, see Section 7)
7.	Is there a Parking Bay (dotted bay) outside your property?	YES/NO (If YES, see Section 11)
8.	Did the Council previously own your property?	YES/NO (If YES, see Section 10)
9.	Do other landowners need to be consulted, i.e. Council or Housing Association?	YES/NO (If YES, see Section 12)

If you answered “No” to question 1, do not proceed as your application will be refused. For all other criteria, please read the section notes. If in doubt, please contact a member of the Highways Team on (01634) 333333 for further clarification.

1. Is there enough space to park a vehicle in your property’s boundary?

It is not acceptable for any part of a vehicle parked within your property to overhang the highway. This means that the vehicle must fit within the proposed parking area and no part of it may project on to or over the highway. The vehicle crossing itself, does not count as part of the parking area.

In order to facilitate parking of a standard domestic vehicle, the hardstanding must have a depth of at least 4.8m between the back edge of the footway or property boundary (the face of any wall, fence or hedge) and the front of your building, with a width of at least 2.4m (see diagram 1 below). These measurements are for parking a vehicle at a right angle to the highway with the vehicle able to enter and exit the property in one movement. If the parking area is in front of a garage or door, then the depth required will be at least 6m.

If you wish to park parallel to the highway, then you will require a minimum depth of 2.6m and a minimum width of 5.6m in order to safely manoeuvre a vehicle on and off your hardstanding area (see diagram 2 below).

If you are applying for a motorcycle crossing, then the above hardstanding requirements do not apply.

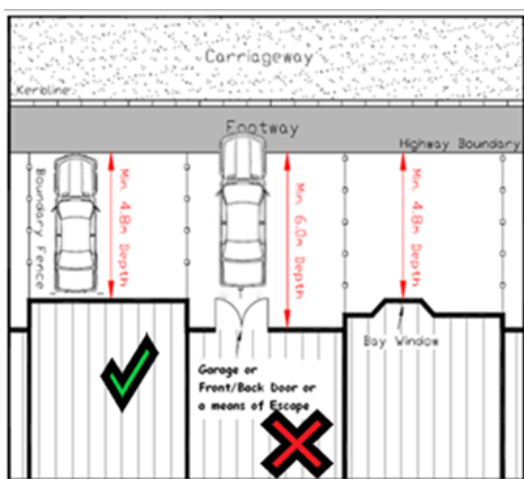


Diagram 1. Minimum 2.4m width x 4.8m depth

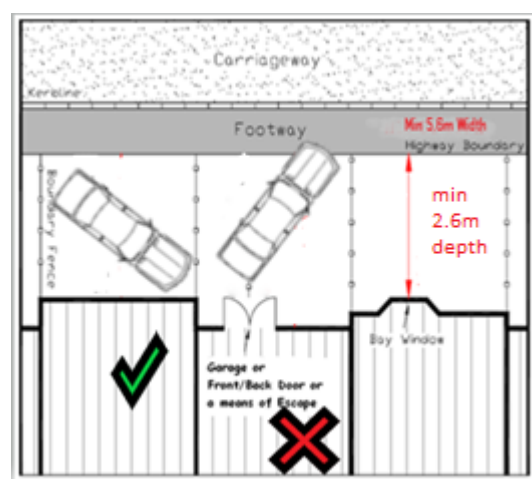


Diagram 2. Minimum 5.6m width x 2.6m depth

Approval to construct and use a vehicle/motorcycle crossing is only given to allow vehicles to pass and repass between public highway and private property, with those vehicles parked wholly off the highway and not overhanging any carriageway, footway or verge. Property owners/occupiers will be notified if a breach of this condition occurs.

2. [How wide can a vehicle crossing be?](#)

A standard vehicle crossing is equivalent to 4 flat dropped kerbs and 2 taper kerbs, measuring around 5.6m in length overall. A motorcycle crossing is one flat kerb with 2 taper kerbs, measuring around 2.7m in length overall. All vehicle crossing and motorcycle applications will therefore be assessed on this basis.

We will not permit a vehicle crossing larger than 5.6m. Highlighting other crossings that are larger are not grounds for appeal as these would have been allowed under guidance applicable at that time, which would have been prior to February 2015.

If there is insufficient width to have a standard vehicle or motorcycle crossing constructed, consideration may be given to allowing you to have a smaller vehicle crossing of 3 flat kerbs and 2 taper kerbs, but only after taking into account other site-specific criteria, such as visibility requirements and any other obstructions. A motorcycle crossing smaller than one dropped kerb will not be permitted. The Council's decision on whether to permit a smaller vehicle crossing or not is final.

3. [In and out entrance and exit](#)

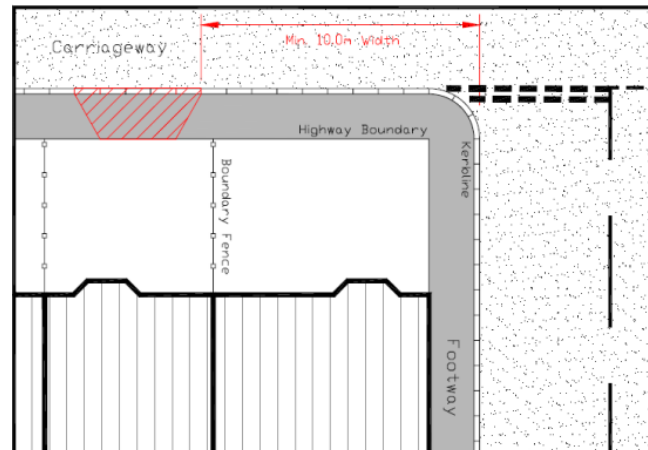
The potential for traffic conflict arises when the number of crossing points on a highway, where vehicles turn, increases. Applications received for "in" and "out" driveways to a single property, or a second access point where one already exists will only be considered if there is a minimum distance of 5m between the taper kerbs of the 2 accesses. If you do not have 5m or more between the 2 accesses, then your application will be refused. The Council's decision on whether to permit 2 accesses is final.

Applicants who wish to create a second access will have to provide strong evidence of how it will significantly add to highway safety and why it cannot be achieved from a single access point by improving or repositioning an existing access.

4. [Distance from road junctions](#)

If the location of your proposed crossing is closer than 10m to a junction, this could cause a serious safety hazard. This distance may be increased to 15m if your property is situated on a major road or near a busy junction and consideration should therefore be given to moving the access onto the adjacent side road.

If there is no other option and your proposed crossing will be within 10m of a junction, then Highways will request a safety assessment by the Road Safety Team, which will be an additional cost of £128.60 that the applicant must pay. If the Council's Road Safety Team recommend that a crossing is not installed, then this decision is final, however they may make recommendations such as removing boundary walls or cutting back vegetation which would allow you to have a crossing, but the costs associated with any additional works will need to be borne by the applicant.



5. Visibility requirements

The most important thing about visibility is being able to see both pedestrians and other vehicles, so part of our vehicle crossing assessment will be to ensure that by creating a vehicle crossing you will be able to clearly see other road users and drive in and out of your driveway without causing a danger to yourself or others.

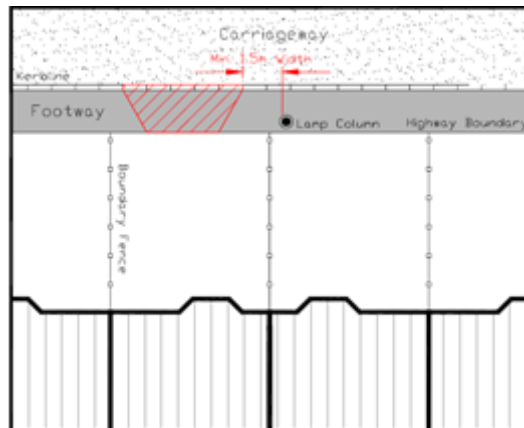
Adequate visibility enables road users to see a potential hazard, giving them time to slow down or stop comfortably before reaching it. For pedestrian visibility, a splay of at least 2m x 2m with a maximum height of 1m from the back of footway will be required. Greater visibility may be required on faster and busier roads and therefore your application will be assessed on site specific criteria.

6. Drainage

If you are creating a driveway using porous materials, such as gravel or block paving; or directing water away into a lawn, border or soakaway to drain naturally, planning permission is not required to create a driveway. Surface water should not be discharged from your driveway across the public highway; therefore, you must ensure suitable drainage is provided within the boundary of your property when creating a driveway.

7. Lamp columns, street furniture and utility covers in the footway

If your proposed crossing is within 1m of a streetlight or street nameplate it will be assessed by the relevant team to see if it can be suitably re-located. If it can, then a quotation will be provided to you as all costs associated with such works are to be borne by the applicant. If the streetlight cannot be re-located, then the application will be unable to be approved.

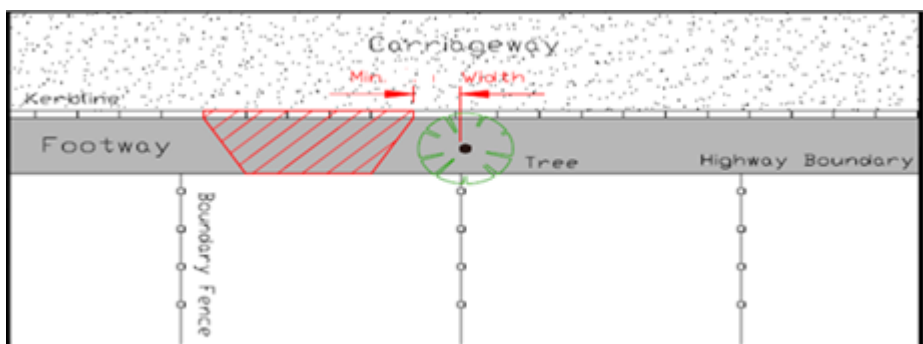


Water covers can be adjusted by both the Council and our Approved Contractors, but unfortunately BT and Virgin Media covers can only be adjusted by the responsible Statutory Utility Company. If either of these covers require lowering and strengthening, so that you can drive over them, all costs associated with this work is borne by the applicant. Please note that both BT and Virgin Media charge to come out and provide you with a quotation for any adjustments. You are advised therefore that if you have a cover in the proposed area of construction, that you contact them to obtain quotes for their adjustment. BT Openreach can be contacted on 0800 783 2023 (option 1) and Virgin Media on 0800 408 0088.

8. Trees and the Root Protection Area

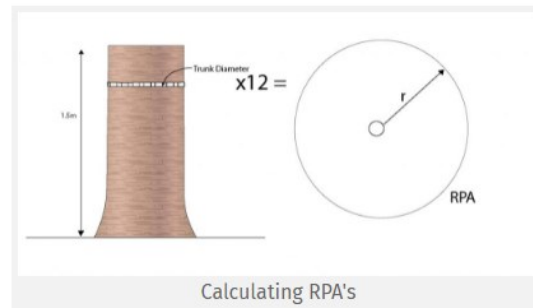
Trees form an important part of the street scene and will not be removed in order to accommodate a vehicle/motorcycle crossing unless there is a sound arboricultural reason for doing so.

If you have a tree outside your property, where the roots could be damaged by the construction of a vehicle/motorcycle crossing, the area around the tree will be measured to determine a suitable minimum distance, where construction can take place, in order to protect the tree and its rooting environment. This is known as a root protection area (RPA). We do not allow a vehicle crossing to be constructed if the RPA is affected.



The current benchmark for assessing trees in relation to construction is British Standard 5837:2012 "Trees in relation to design, demolition and construction - Recommendations".

How we calculate the RPA of a tree, is described below:



The RPA is normally calculated by measuring the trunk diameter at 1.5 metres above ground level, multiplying this distance by 12 and converting the result into a radius centred on the tree or in other words. If the diameter of a tree is 500mm, this amount is multiplied by 12 to give a distance of 6.0 meters. This 6.0 meters then becomes the radius of the RPA.

Some trees are subject to Tree Preservation Order (TPO) which require permission to have any work carried out on them. Our Customer Contact Team can advise you if a tree is covered by a TPO on (01634) 333333.

9. Planning Requirements

When properties are sold, one of the questions asked by the purchasers Solicitors is whether permission was granted for any works you may have carried out and this includes driveways and vehicle crossings.

If you are creating a new hardstanding where you are removing grass and laying blocks or other porous material, it is recommended that you apply for a Lawful Development Certificate (LDC) as this document confirms whether you are permitted to carry out the work or whether you need full planning permission.

In general terms, if you live on a classified A, B or C road, you will need to make a planning application for permission to create an access. This is also required if you are extending an existing access.

If you live on a classified road and also have a tree outside your property and its RPA is within the proposed construction area, you are advised to obtain an independent arboricultural report as it will need to be submitted at the same time as your Planning Application. This report should adhere to British Standard 5837:2012 "Trees in relation to design, demolition and construction – Recommendations" and include information on the methods that will be used to protect the tree and its roots before, during and after construction. All costs associated with obtaining the report and making the planning application are your responsibility as the applicant.

If you are altering the levels of the land such as a garden by digging out and either lowering it by 300mm or increasing its level by 300mm or more, then this is considered as engineering works and planning permission will also be required.

Some grassed areas, which you may need to cross to construct a vehicle/motorcycle crossing are classed as amenity land and as such you would need to submit a planning application to change their use to a vehicular access. This would include any alterations to existing hardstanding's in amenity grass, where you are intending to remove the grass and replace with a material such as tarmac to widen what is already present.

You may choose not to apply for an LDC and therefore the onus will be on you to undertake the necessary research beforehand to ensure your proposals are compliant, to avoid potential enforcement action at a later date.

If your planning application is subsequently referred to the Planning Committee for a decision, then their decision after consideration of all relevant legislation, policies and guidance will be final and supersede any highway decision.

If you have a query relating to planning, then please contact their Customer Contact Team on (01634) 331700 or email them at planning.representations@medway.gov.uk. Further information can also be found online via the Planning Portal or www.medway.gov.uk/planning

10. [Legal Information if your property once belonged to the Council](#)

If your property is, or was previously owned by the Council, it is possible there is a restriction called a covenant that prevents an area of land becoming a hardstanding. You will therefore need to contact our Legal Department to find out whether you own your front garden and whether there is a restriction on it. Our Legal Department will be able to advise you if it is possible to have it removed and advise you of the cost of doing so. Please contact our Customer Contact Team on (01634) 333333 to make the necessary enquiries.

11. [Parking Bays outside of your property](#)

If you have a parking bay outside of your property; usually indicated by dotted white lines, it may have what is known as a Traffic Regulation Order (TRO) attached to it. This means that there is a legal order in place that restricts parking to residents only or at certain times of the day. To prevent other road users parking in the bay and blocking access to your new crossing, you will have to have the bay markings amended by removing the TRO that is in place outside your property, of which the current fee for doing so is £1,689.71, which is payable by you as the applicant.

To find out whether the parking bay has a TRO on it, you will need to contact our Integrated Transport Team via Customer Contact on (01634) 333333. They will then be able to advise you whether the bay has a TRO, together with the cost of amending it. All costs associated with amending a TRO and adjusting bay markings are the responsibility of the applicant.

12. [Land Ownership](#)

If you need to cross land that is not owned by you, permission will be required from the landowner.

The different types of landowners and action needed are detailed below:

Council Land

Council land can be within the ownership of several different departments, meaning Highways are unable to give you permission to cross it. Examples may be Greenspaces for open amenity space (which includes greens and some verges) or Housing if your property was an ex-council house. You will need to approach the relevant department and seek their permission to allow you to cross the land in question. If you're unsure who owns the land, contact our Customer Contact Team on (01634) 333333 who will be able to advise you.

Housing Association Tenants

If your property is owned by a Housing Association, you will need to contact them directly to make sure they are happy for you to apply and to establish what, if any, permissions they require.

13. Refusal

Most vehicle/motorcycle crossing applications are successful, but occasionally we have to refuse them if the criteria in this document is not met, or where the proposal puts other road users at risk or seriously interferes with the free flow of traffic.

14. Additional Works

There may be occasions where additional or special engineering works are required, as a result of your proposed vehicle/motorcycle crossing, due to the detrimental impact its construction would have on the highway and other users. This relates to the specific, individual requirements that a location may have and therefore, where additional works are required, you will be informed and provided with a quotation for the works.

Frequently asked questions

How much will my crossing cost?

This will depend on the width of the footway and whether utility services or street furniture is affected. Prices can range from around £850 to £3,500 for a vehicle crossing, but more if other adjustments are required or the footway is wider than normal. Motorcycle crossings can range from £400 up to £1,000 but could be more depending on site conditions.

How long does it take for my application to go through?

Once your completed application is received and providing no other permissions are required, we usually undertake a site inspection and provide you with a quotation within 2 weeks. If you accept the quotation, works should be carried out within 30 days from your payment being received.

Who can carry out the work?

Medway Council's Highways Maintenance Contractor Volker Highways undertake the works, or you can choose to use a contractor from our Approved List who are all members of the Medway Fair Trader Scheme. You are not able to use any other contractor of your choice if they are not on the Approved List. A copy of the Approved List can be found online at https://www.medway.gov.uk/downloads/file/2612/approved_contractors_for_vehicle_crossovers_dropped_kerbs

Am I responsible for the pipes and cables buried underground?

Yes. As part of our initial checks, we identify where utility apparatus is situated to prevent any unforeseen damage to them during construction. If any utility apparatus requires adjustment to accommodate your crossing, you will be responsible for the cost of any additional works.

How will I know if the work is satisfactory?

Once your crossing has been constructed, a visual inspection will be undertaken to ensure it meets our specification. If any defect occurs in the crossing within its 2-year maintenance period, the contractor who undertook the construction will be required to repair it. After 2 years, it becomes highway maintained by the Council.

Can the Council refuse my application?

Yes, we could refuse your application if the crossing would not be in a safe place, such as on a junction, the brow of a hill, at a bus stop or other pedestrian crossing point or where it would be difficult for it to be seen. Applications can also be refused due to other permissions being required first, such as Planning if you live on a classified road or are carrying out engineering works (see Section 4 for more information about the other types of consent that may be required).

Do I have to have a vehicle crossing constructed?

If you wish to drive a vehicle (mechanically propelled) over the footway and onto a hardstanding area, then you will need to have a crossing constructed.

It is illegal under Section 184 of the Highways Act to cross the footway without one. Footways are not built to cater for the weight of vehicles continually driving over them and therefore damage to not just the footway, but the services that sit beneath them, will occur over time. A properly constructed vehicle/motorcycle crossing strengthens the footway and protects the services beneath it, allowing a vehicle to pass and repass over it.

Can I pay in instalments?

Unfortunately, not. The reason for this is that when the works are ordered and completed, the Contractor requires payment in full.

Do I get to choose where the crossing is put?

Our Engineer will mark where the crossing is to be constructed during the inspection, considering site specific criteria. A photograph of where the proposed crossing is to be constructed will be sent to you along with your quotation.

Do I need to prepare for my crossing to be constructed?

Yes. Whilst you do not have to be present when your crossing is constructed, you need to ensure that the site is ready for the crossing to be built. This will mean ensuring that any boundary walls are removed, including their footings, so that the Contractor can install back edgings to separate the crossing from your driveway. Failure to prepare for the crossing to be installed can result in additional costs if our Contractor is unable to carry out the works, of which you will be recharged for.

As I'm paying for the crossing, does that mean that I own it?

No. The footway is highway maintained at public expense, which means that it belongs to the Council who maintain it from the public purse. As the dropped kerb would only serve your property and not the public at large, they are not funded by the Council and therefore you must pay to have the access created. A lot of applicants feel that as they've paid for it to be installed that they subsequently own it, and this is not the case.