

REPORT TO: Executive Board

DATE: 19 March 2020

REPORTING OFFICER: Strategic Director, Enterprise, Community and Resources

PORTFOLIO: Transportation

SUBJECT: Amendments to Policy for Vehicle Access Crossings over Footways and Verges

WARDS: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 The purpose of this report is to provide clear guidance on the acceptable criteria for a vehicle crossing amending the existing policy which was approved by the Executive Board on 4 November 2010. The reason for the additional information is the requirement to protect the Council's green amenities within the Borough, curtail excessive crossing widths, to protect the environment for people with reduced mobility, provide sustainable drainage and protect the Street scene.

2.0 RECOMMENDATION: That the Board endorse the approach that access crossings should only be permitted and constructed in accordance with the criteria set out in paragraph 3.2, and grant approval thereof.

3.0 SUPPORTING INFORMATION

Members are reminded of the Council's access crossing policy adopted by the Executive Board on 4 November 2010. In allowing vehicles to cross the footway into their property, the Council has a duty to ensure this does not reduce green amenity, sustainable drainage, loss of on street parking and impede the safety of the partially sighted and wheelchair users with long lengths of dropped kerbing and steeper gradients. In practice a number of shortfalls in the existing policy have come to light and it is considered that a review is now required. To clarify the acceptable criteria for such vehicle access crossings this report amends the previous policy 'Proposed Policy for Vehicle Access Crossings over footways and verges 2010', in 3.2 below. A guidance note is attached to assist applicants.

3.2 Acceptance of a crossing

3.2.1 Proposed Criteria

It is important when making a decision on the acceptability of any access crossing (whether by request or following an enforcement

procedure) that it is based on an assessment of highway safety, protection of the street scene and whether certain planning requirements can be met that would enable planning permission to be granted, if required.

It is proposed that the following criteria be used to assess the highway safety and protection of the highway asset of any access proposed:

- The size of curtilage available – a large car must be able to fit within the curtilage of the property without overhanging the footway (or cycleway or highway verge), to avoid causing hazard to pedestrians (or cyclists) or obstruct access to services. At least 4.8m length between the back of the pavement or property boundary (the face of any wall, fence or hedge for example) and the front of applicants building and 2.4m minimum width; or at least 6m length where parking area is in front of a garage or door where adequate means of escape needs to be provided, like a front or back door, escape window etc.
- The maximum allowable width of a single vehicle access crossing is 6.4m (2 transition kerbs and 5 dropped kerbs).
- There must be sufficient visibility when exiting and entering the driveway in accordance with appropriate highway standards. These take the form of visibility splays and stopping sight distances, which vary depending on type and speed limit of road;
- The vehicle access crossing should usually be situated a minimum of 1.8m from the end of any curve radius leading into or out of a junction, **whilst still complying with visibility criteria**. However, there may be exceptions on lightly trafficked estate roads, providing that road safety is not compromised;
- It is considered that, where parallel parking alongside the kerb is happening on a road, this should not preclude an access crossing, and an appropriate number of marked bays may need to be removed. It may also be necessary to install an 'H bar' marking to deter obstruction of the access, where there are no marked bays or loading restrictions. However, perpendicular parking bays are usually privately owned, and access crossings behind these will generally not be permitted, except where a single landowner is involved.
- Any application for the construction of a vehicle access crossing may be refused on the grounds of highway and pedestrian safety. Situations where manoeuvring onto or off the highway may be hazardous include:
 - Onto a section of road where traffic speeds are high;
 - On the approach to traffic signal junctions where regular queuing takes place;
 - Onto a roundabout;
 - Within the zig-zag markings of pedestrian crossings;

- Immediately adjacent to pedestrian refuges, traffic islands which would prevent a vehicle turning in excess of 90 degrees in a single manoeuvre;
- At bus stops where use of a crossing could conflict with passengers waiting or make it difficult for disabled passengers to board or alight a bus
- In the immediate vicinity of a junction.

The above list is indicative, but not exhaustive.

- It is likely the requests to cross large expanses of grass amenity areas will be refused. This is due to the negative impact on the street scene, the impact on highway drainage and the potential to introduce an unsafe environment for children that may use the area for recreation.

The criteria to be taken into consideration when assessing whether planning permission is required are as follows:

- Planning permission is required to create an opening onto a highway that is a classified road (i.e. a road which has a number in the national road system, starting M, A, B or C). The type and speed limit of certain roads (together with the highway safety criteria above) may mean that they are unsuitable for a private access crossing. This would be established during the planning application process; and
- In line with Pitt Report¹, should the area of the new hard surface within the property exceed 5m², then planning permission will be required where the new hard surface is not porous or does not drain to a soakaway within the property boundary.

It should also be noted, however, that other factors are taken into consideration when assessing a planning application (for an access crossing on a classified road) such as visual amenity as well as highway safety.

1. In response to recommendation 9 of the Pitt Review (Householders should no longer be able to lay impermeable surfaces as of right on front gardens and the Government should consult on extending this policy to back gardens and business premises), from 1 October 2008 new rules have applied for householders wanting to pave over their front gardens. Government advice to householders is as follows:

You will NOT need planning permission if a new driveway uses permeable (or porous) surfacing which allows water to drain through, such as gravel, permeable concrete block paving or porous asphalt, or if the rainwater is directed to a lawn or border to drain naturally. If the surface to be covered is more than five square metres, planning permission will be needed for laying traditional, impermeable driveways that do not control rainwater running off onto roads.

3.3 Proposal

Only those access crossings which comply with the requirements outlined in 3.2 above should be permitted. It is intended to produce a guidance leaflet for public information and this is attached.

4.0 POLICY IMPLICATIONS

These recommendations serve as an addendum to, but do not replace the existing enforcement policy for illegal crossing of vehicle over footways and verges (which was approved by the Executive Board on 4 November 2010) with a view to clarifying the criteria in which a crossing can be constructed to balance the needs of the customer and the Council in protecting the Councils Highway Asset.

5.0 FINANCIAL IMPLICATIONS

The construction of vehicle crossings over the highway are paid either in full or by direct debit payment to Halton Borough Council.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

The recommendation should result in a more clarity in the process of providing vehicle access crossing creating safer environment for all, including children and young people.

6.2 Employment, Learning and Skills in Halton

There are no direct impacts, but improvements and protection of the footway and cycleway networks are likely to encourage walking and cycling, which has positive benefits for accessing employment and education.

6.3 A Healthy Halton

There are no direct impacts, but improvements in the quality of the footway and cycleway networks are likely to encourage walking and cycling, which has positive benefits for health.

6.4 A Safer Halton

The recommendations should result in the recommended vehicle crossings over the footway taking into account the needs of pedestrians, the less able, partially sighted people and those with prams etc. Including keeping a sufficient percentage of on street parking for emergency services and visitors etc.

- Keeping kerb height differentials for the partially sighted and young children.
- Ensuring the crossfall of footways is not too steep and uneven for wheelchair, people with reduced mobility and motorised chair users.

6.5 Halton's Urban Renewal

The recommendations should result in a clearer approach to constructing new crossings. This will protect visual amenity by removing

damaged footways and the ‘trend’ towards over wide access crossings for single households which is resulting in poor footways for the pedestrian, loss of on street parking and neighbour disputes. It will assist in keeping the street scene and protection of the highway asset. It will also assist with the adoption of the principles of the Pitt Report to ensure that surface water drainage within new urban development is dealt with in a sustainable manner. The criteria to protect excessive loss of green amenity verge protects both the environment and street scene.

7.0 RISK ANALYSIS

There is an existing financial risk to the Council as many customers pay by instalments which may prevent the Council receiving full payment. However payments are low and most applicants work with the Council to complete payment.

8.0 EQUALITY AND DIVERSITY ISSUES

There are no direct implications but improvements in the quality of the footway network and overall impact on the general public needs to be factored into the decision to approve a crossing. The criteria laid out for vehicle crossings in this report will benefit the elderly, people with reduced mobility , small children, those with prams, wheelchairs etc.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Vehicle Crossing Guidance	Municipal Building	Debbie Cragg