

## **Annex A – City of York Council Vehicle Crossings Policy**

CYC, as the local highway authority and under Section 184 of the Highways Act 1980, has the power to grant permission for a vehicle crossing to be constructed, enabling a motorised vehicle to drive over a kerbed footway or verge.

This policy applies to single private drives as described in CYC's published Highways Design Guide, paragraphs 8.8.5 to 8.8.8 (the guide is available here: [www.york.gov.uk/HighwayDesignGuide](http://www.york.gov.uk/HighwayDesignGuide)).

A vehicle crossing provides the legal means for vehicle access to a property. The construction of a vehicle crossing usually involves strengthening the footway to allow vehicles to pass over without causing damage to either the footway or the numerous services usually located under the surface. Under Section 184 of the Highways Act, it is illegal for a mechanically propelled vehicle to cross the footway without a vehicle crossing.

There is no automatic right for someone to install a vehicle crossing and this policy describes how applications for new or improved vehicle crossings will be considered by CYC as the highway authority. CYC will consider applications against this policy.

In determining whether to grant permission for a dropped kerb, CYC must consider:

- The need to prevent damage to the highway, including footways or verges;
- The need to ensure safe access to and from the property; and
- The need to allow the passage of traffic (all modes, including pedestrians and cyclists) on the highway.

The highway authority will also consider the impact of applications on publicly available parking (e.g. on street parking, resident parking area, etc).

The highway authority is not bound by precedent and considers each application on its own merits, against this policy. The decision made by the highway authority is final and is not subject to any form of appeal.

Applicants who are not satisfied with the decision can log a complaint by using CYC's complaint procedure (more information is available here: [www.york.gov.uk/MakeAComplaint](http://www.york.gov.uk/MakeAComplaint)).

**Please note that charges apply for vehicle crossing applications. Information on the charges and the application process is available at [www.york.gov.uk/DroppedKerbs](http://www.york.gov.uk/DroppedKerbs) Property ownership and access rights**

If an application for a vehicle crossing (new or improved) is submitted by a customer who is not the owner of the property, the following is required:

- Rented property (including housing association) - Written permission from the landlord is required;
- Council property - Consent from CYC Housing Services is required.

The full location of the proposed vehicle crossing needs to be either within the property boundaries or within the adopted highway, or the applicant will need to demonstrate that they have secured the appropriate access rights. A map of adopted highways can be found here: [www.york.gov.uk/RoadAdoption](http://www.york.gov.uk/RoadAdoption)

### **Is planning permission required?**

Planning permission is usually required for a new or improved vehicle crossing if:

- The property is located within a Conservation Area (more information is available here: [www.york.gov.uk/YorkConservationAreas](http://www.york.gov.uk/YorkConservationAreas));
- The property is a listed building (more information is available here: [www.york.gov.uk/ListedBuildings](http://www.york.gov.uk/ListedBuildings));
- The vehicle crossing application is connected to other works requiring planning permission (for example paving over a former garden area, building a new house or garage, or changing the use/purpose of the property); and
- The proposed vehicle crossing is on a classified road (A, B, C – this information is available on York View (<http://localview.york.gov.uk/>), by selecting the following items in the Layer list: “Miscellaneous” and then “Highway Network”

Please note that planning permission is required if you are planning to pave over your front garden, resulting in more than five square metres built as an impermeable driveway that does not provide for the water to run to a permeable area.

There might be other situations where planning permission may be required. To find out whether a planning application is required, applicants can submit a householder enquiry form (more information is available here: <https://www.york.gov.uk/PlanningPermission>).

## Number of vehicle crossings

In general, only one crossing per property will be approved. Separate 'in' and 'out' crossings are not normally permitted. If a second access is desired, the specific justification should be included in the application.

Where the application seeks to change the location of an access point, the redundant vehicle crossing will need to be reinstated.

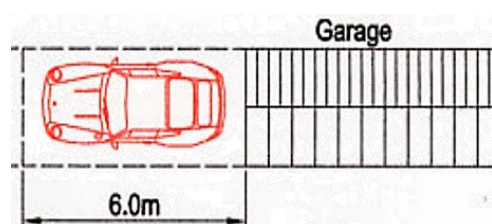
## Driveways - Permissible lengths

There must be sufficient room on the property for a vehicle to be parked without overhanging onto the public highway (footpath or carriageway).

### Parking at a right angle to the highway

Where the proposed application is for a vehicle to be parked at a right angle to the highway, a minimum length of 6 metres must be available to park.

This measure is taken from the back of the pavement or property boundary (the face of any wall, fence or hedge for example) to the front of the dwelling/garage.



Where the parking area is located away from openings (dwelling doors, garage doors), this can be reduced to 5.5 metres.

For tandem parking, the minimum length required is 11m (reduced to 10.5m where the parking area is located away from openings).

*Note: This requirement complies with CYC's published Highways Design Guide, paragraph 8.8.5 and Appendix 24 (the guide is available here: [www.york.gov.uk/HighwayDesignGuide](http://www.york.gov.uk/HighwayDesignGuide)).*

### Parking parallel to the highway

Parallel parking within the curtilage of the property is not actively promoted but may be considered in exceptional circumstances. It is usually not acceptable on classified roads.

Where parallel parking is proposed, the vehicle must be able to cross the footway and enter and exit the property in a single movement.

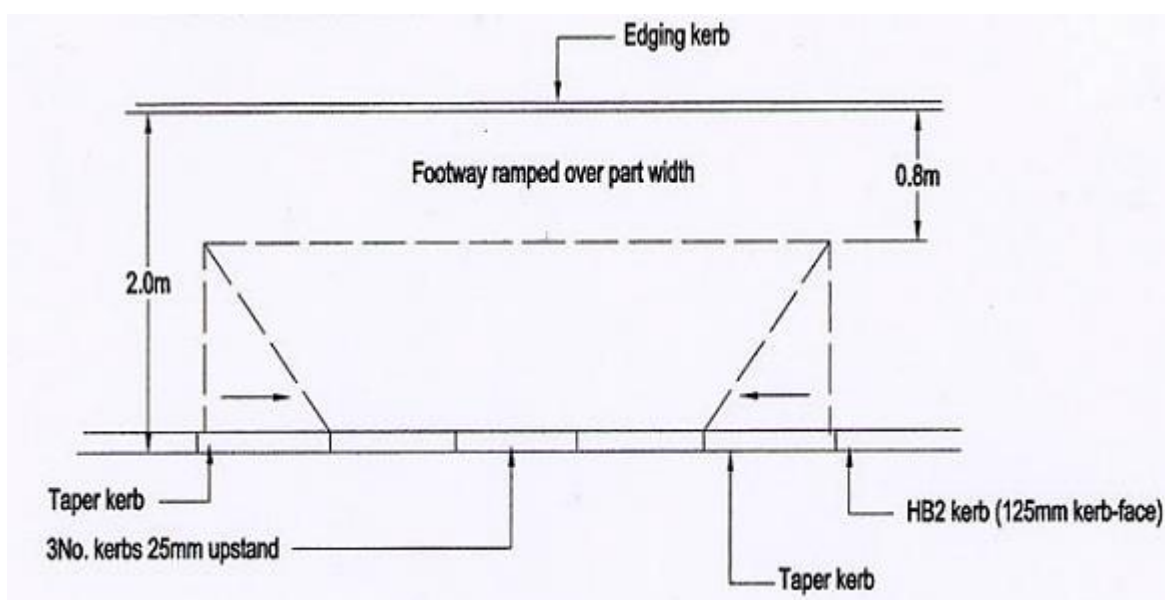
The full length and width of the vehicle must be contained within the property boundary, requiring a minimum depth of 3m and a minimum width of 6m.

## Driveways - Permissible widths

The minimum width of a driveway served by a dropped crossing is 3.2 metres, which may be reduced to 2.4 metres where a separate pedestrian path is provided.

A standard dropped crossing should include 3 dropped/low kerbs (approximately 2.75 metres wide) and two transition/taper kerbs (one on either side). This is illustrated below, as per Appendix 19 of CYC's Highways Design Guide.

Where required a maximum of 5 dropped/low kerbs may be authorised for a single crossing (approximately 4.5 metres wide). If the vehicle crossing is shared with the neighbouring property, 8 dropped/low kerbs can be installed (approximately 7.2 metres wide, 4 dropped/low kerbs in front of each property).



## Driveway size for vehicle crossings on classified roads

For vehicle crossings on classified roads (A, B and C, where the proposed crossing is at a high risk location, e.g. close to a junction, high speeds, etc), additional space will be required within the property boundary to enable vehicles to access and egress in a forward gear. This will generally be required and secured through the planning process.

*Note: Basic dimensions and layouts for turning heads are shown in CYC's Highways Design Guide, Appendix 6 (available here: [www.york.gov.uk/HighwayDesignGuide](http://www.york.gov.uk/HighwayDesignGuide)).*

## Proximity to junctions

If the proposed vehicle crossing is located within 10 metres of a junction or stop line of a signalised junction, the application will generally be refused on road safety grounds. If the property is situated at a junction between a minor and major road, it will generally be safer to locate the access on the minor road.



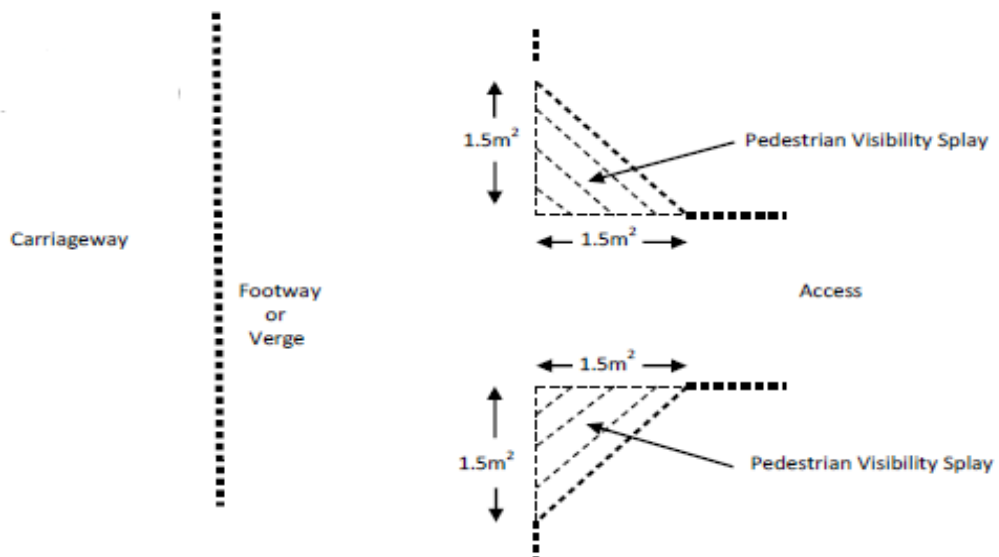
## Visibility

To ensure the safety of other highway users, including pedestrians and children, proposed vehicle crossings need to demonstrate that adequate visibility splays are available and kept clear of any obstruction greater than 600mm in height, as illustrated below (exceptions are made for trees providing they have a clear stem and for street lighting columns). This includes:

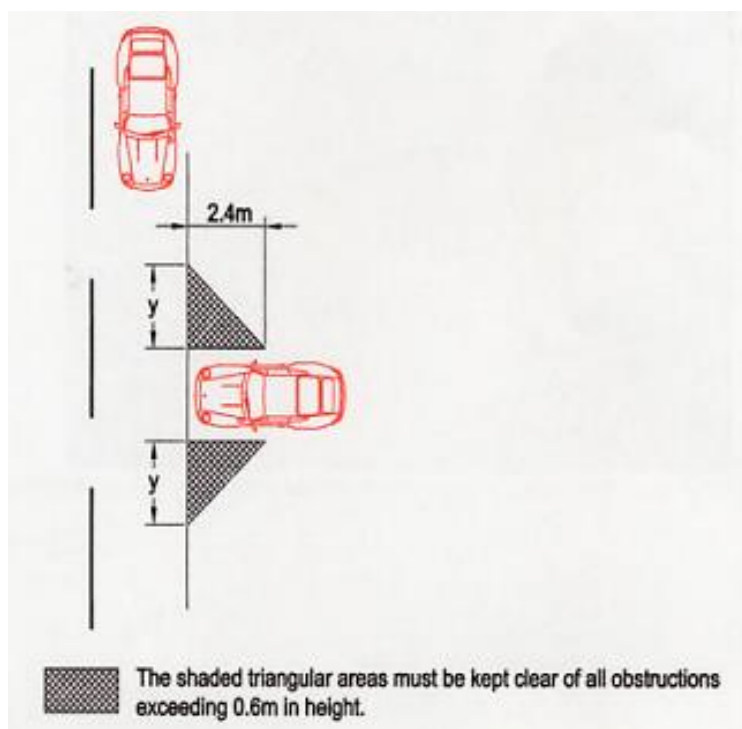
- Vehicle versus pedestrians – visibility splays measuring 1.5m by 1.5 m are usually required
- Vehicle versus vehicle - The visibility splay is made up of two components:
  - the 'X' distance measured from the kerb towards the dropped crossing and driveway, this is usually 2.4m and can be reduced to 2m in urban areas; and
  - the 'Y' distance measured along the edge of the road carriageway from the side of the dropped crossing/driveway. Y must be at least 40m for 30mph roads, reduced to 22m in 20mph areas.

*Note: This requirement complies with CYC's published Highways Design Guide, Appendix 25 and the relaxation is in line with advice included in national guidance published in Manual for Streets. These documents also provide more detailed information on visibility splay requirements.*

## Vehicle versus pedestrians

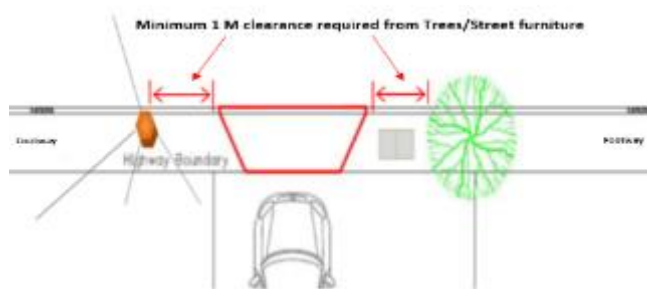


## Vehicle versus vehicle



## Trees and street furniture

Trees form an important part of the street scene and will not be removed in order to accommodate a vehicle crossing unless there is a sound arboricultural reason for removing them. Applications requiring the removal of a healthy, well established highway tree will be refused.



A minimum 1 metre clearance must be maintained for mature trees, and 2 metres from newly planted trees (considering the tree canopy or root protection area). Some trees are protected by a Tree Preservation Order (TPO) and additional permissions may be required. More information is available here: [www.york.gov.uk/TreesInConservationAreas](http://www.york.gov.uk/TreesInConservationAreas).

A minimum 1 metre clearance must be maintained from existing street furniture (for example telegraph poles, street lighting, signs, bus stops, and utility chambers). If the proposed crossing is in the vicinity of other features such as tactile pedestrian crossings or traffic calming measures, this will need to be reviewed with the Council team.

Where street furniture, resident parking bays, bus stop or pedestrian crossings need to be relocated to accommodate a dropped crossing, additional approvals/processes will be required before the application can be processed. Any costs associated with this requirement will be at the expense of the applicant.

This also applies where changes might be required to existing Traffic Regulation Orders (for example where a dropped crossing requires the removal of a marked on-street parking bay such as Resident Parking, loading bay, or a disabled bay). If it is necessary to amend an existing Traffic Regulation Order, this will result in additional costs to cover the costs of advertising and consulting on the proposed changes to the Order. Any change to an existing Order will be subject to the outcome of a statutory consultation and cannot be guaranteed.

The Council may refuse an application where it is considered that the removal of too many on-street spaces or provision of too many vehicle crossings would lead to insufficient on street parking space being available.

## **Other issues to consider**

**Gradient** - If there is a steep verge over which the new crossing must be constructed, the gradient cannot be steeper than 1:10.

**Use of gravel hardstanding** – If the intention is to use gravel or similar loose material as hardstanding for the driveway, the applicant will need to consider the problem of some being carried on to the highway by the movement of the vehicle. A 2m buffer of bound material inside the private curtilage will generally be required to prevent overspill onto the highway although other solutions can be agreed with the Council team (e.g. use of EcoGrid type solution, type of gravel to be used, etc).

**Drainage** - If the proposed driveway slopes/drains towards the public highway, and is not constructed of permeable material, a drainage channel must be installed to drain water away from the public highway. Drainage solutions need to be agreed with the Council team so that there is no discharge of water from the private property onto the highway and no discharge from the highway onto the private property.

**Gates** - If gates are to be fitted across the entrance to the property, they must not open outwards across the footpath or carriageway (Section 153 Highways Act 1980). On A, B and C class roads, the gates should be at least 6 metres back from the edge of the footway and open inwards unless the 6 metres is achievable whilst opening the gate.

**Redundant vehicle crossings** - Any existing vehicle crossing that becomes redundant following the construction of a new/improved crossing must be removed, with the footway/verge reinstated at the applicant's costs. If a crossing is no longer performing its function due to a new fence or building preventing a vehicle from being able to park off the highway (to minimum dimensions above), it should be removed at the owner's cost.

**Parking bays** – If there is an on street parking bay (for example for resident parking) at the front of the property, where the vehicle crossing is proposed, the highway authority will take the impact of the application on parking capacity into account. If the application is accepted, the applicant will need to meet the costs of changing the Traffic Regulation Order to remove the area from the parking bay. This will need to be completed before the crossing can be built. As the change to Traffic Regulation Orders is subject to a statutory process including public consultation, the result of such a process cannot be guaranteed.

**Crossing an off road cycle route or narrow footways** – Where a proposed dropped crossing will cross an off road cycle route or a narrow footway, the design of the crossing will be reviewed with the Council team to ensure that gradients and visibility are adequate for all users.

**Utility apparatus** – Where utility apparatus is located on/under the adopted highway in the location which has been identified for the



crossing, the apparatus may need to be relocated or a different specification agreed for the construction of the dropped crossing (to protect the apparatus underneath). Where required, the applicant (and their contractors) will need to organise and pay for the relocation of existing utility apparatus.