

APPLICATION TO CONSTRUCT A DOMESTIC VEHICULAR ACCESS (LIGHT DUTY FOOTWAY / VERGE CROSSING)

Sections 84, 85 & 86 New Roads & Street Works Act (NRSWA) 1991
Section 184 Highways Act 1980

GUIDANCE NOTES – TERMS AND CONDITIONS OF APPLICATION

In order to ensure that a proposed crossover will be safe the Council will have regard to a number of national guidance notes and requirements. These relate to a number of aspects that are set out below. It is important that all of these requirements are met or an application is likely to be rejected. These requirements apply to requests for new crossovers or extensions to existing crossovers.

A crossover will not be constructed unless a suitable area for parking is provided. **If there is not an existing area for parking your application will be refused.**

SIZE OF PARKING AREA WITHIN THE PROPERTY

Minimum dimensions apply to a vehicle parking area. This will ensure that a vehicle can be parked safely off the public highway without overhanging any part of it; allow sufficient space for occupants to get in, out and around the vehicle; and not obstruct access to the front door of the property.

If applications are received where the parking area, whilst large enough for your particular vehicle, does not meet with the minimum dimensional requirements approval will not be given. It must be recognised that property and car ownership is liable to change at any time for a number of, sometimes unforeseeable, reasons. This could potentially involve difficult situations where a new property owner with a larger vehicle (or the original applicant having purchased a larger vehicle) causes it to overhang the footway due to insufficient depth of parking area.

In the case of Blue Badge holders, the same dimensional criteria will be applied for the reasons given above.

In most cases parking spaces will be constructed perpendicular to the road. The parking area must be **a minimum of 4.8 metres deep and a minimum of 2.4 metres wide**. There must also be **a minimum 1.2 metres wide clear path** to the front door of the property from the street or parking area. This is in line with national guidance as set out in the Government Inclusive Mobility guidance, 2005, Page 29.

Where the vehicle would be parked parallel to a carriageway, it must be possible to enter and exit the site in one easy manoeuvre. This will require **a minimum forecourt depth of 4.75 metres and width of 12 metres**.

Vehicle gates must not open out over the footway. The vehicle must be able to cross the footway and enter and exit the property in a single movement.

VISIBILITY REQUIREMENTS

Visibility splays that accord with the Manual for Streets (sections 7.5-7.7, pages 90-93) must be provided. A visibility splay is an area in front of the property that is generally free of any permanent physical obstruction higher than 600mm such as a wall, fence, tree, vegetation, etc. This allows a driver exiting a property to have clear sight of any traffic on the road. If there is a bend in the road close to the property then this might also reduce the distance a driver can see and mean that the minimum requirement cannot be met. This is explained in more detail in the Manual for Streets but in a 20mph speed limit is 25m in both directions and in a 30 mph speed limit is 43m.

In particular, the distances set out in Table 7.1 of the Manual for Streets must be met. Any crossovers that cannot meet these minimum requirements will be refused on the grounds of road safety. The Manual for Streets can be found online.

OTHER SAFETY REQUIREMENTS

The crossover **must not be within 10 metres** of an existing road junction measured from the nearest part of the crossover to the centre of the junction. The crossover must not intersect with the radius of a junction.

Crossovers are **not permitted within 10 metres of a bus stop** or within bus stop road markings to ensure that accessibility and safety for bus passengers is not affected. Where a bus stop is used by more than one bus service this distance will be extended to 20m to make an allowance for 2 buses arriving at the stop at the same time.

Crossovers are also not permitted in any of the following circumstances for safety reasons:

- Onto a section of road where traffic speeds are known to regularly exceed the speed limit;
- On the approach to traffic signal junctions or within junctions themselves;
- Onto or within 10m of, a roundabout;
- Within the zigzag markings of pedestrians crossings or School Keep Clear lines;

A minimum level footway of 1.2 metres must be provided between neighbouring crossovers. This will provide refuge for a person in a wheelchair or a parent with a buggy.

CROSSOVER WIDTH (INCLUDING EXTENSIONS)

For a single crossover **a width of 2.7 metres** of kerb as measured along the dropped section (a total of 4.5 metres including the ramps) will be approved.

A double crossover can be constructed where a property has a hard standing capable of accommodating two cars (i.e. the property is a minimum 6m wide to accommodate 2 x 2.4m wide parking spaces and a 1.2m wide path to the front door). In these cases the crossover may be widened up to **a maximum of 3.6m** (a total of 5.4 metres including the ramps).

However, **the maximum width of the crossover must not exceed 50% of the width of the frontage of the property and it can't exceed the maximum dimensions for a single or double crossover as above**. The minimal width for a single crossover can not be lesser than 2.4m.

The required path to the front door must also be provided.

OTHER RELEVANT INFORMATION

The proposed crossover should not require alteration to the footpath or verge in front of neighbouring properties. Where this cannot be achieved, the crossover will only be approved if it does not obstruct access to the neighbouring property.

Where crossovers are requested adjacent to traffic calming (e.g. speed humps and pedestrian refuges) these may need to be relocated. If the application is approved you will be required to pay the costs.

In some cases street furniture may need to be relocated or removed in order to allow construction of a crossover. This could include street lighting columns, bus stops, road signs, equipment cabinets, etc. This may be required even if the street furniture is adjacent to the proposed crossover to ensure that it is not damaged by vehicles turning into or out of the property. In such circumstances you will be required to pay for relocation or removal costs.

Crossovers that would lead to the loss of Pay and Display or Short Term Parking Bays will be refused unless the bays can be re-provided in a suitable alternative location. This is to ensure that enough parking remains for visitors.

EXISTING VEHICULAR ACCESS

To limit any adverse impact on pedestrians using the adjoining footway and to minimise the loss of kerb side parking, only one vehicular access to the public highway will be permitted per property. This will also help to ensure that features such as front walls, hedges, fences and gardens can be retained in order to preserve these elements of the street scene.

If you benefit from an existing crossover, including to the side or rear of your property, applications for additional crossovers will be refused.

Where an existing crossover becomes redundant, if a garage is converted or a new crossover is approved for example, it will need to be permanently closed with kerbs, footway and a low boundary wall reinstated. You would be required to perform these works as part of the new approval.

HIGHWAY TREES AND VERGES

Trees and verges can make a significant contribution to the appearance of a street and have many other benefits. If a street tree is within 20m of a proposed crossing, then it could be adversely affected by the works. The Council is unlikely to grant consent for a crossing which causes harm to or results in the loss of a street tree. The Council may allow the removal of a tree only where it would otherwise meet the Council's policy criteria for removal and where an appropriate replacement can be provided, all costs associated with this would need to be met by the applicant.

Verges act as carbon sinks, support biodiversity and may be regarded as a key component of the character of a road. They can also support new tree planting which in turn can bring multiple benefits. The Council applies a general presumption against the loss of a verge, either in whole or part, unless it can be demonstrated that access to the property is otherwise unobtainable or the existing does not meet the minimum highway standards. Consideration will be given as to the impact the loss of verge would cause, and where significant, the application may be refused.

RESIDENT PERMIT PARKING PLACES OR CONTROLLED PARKING ZONES

Any crossover application where there are yellow line waiting restrictions will be considered against the normal criteria but will also be judged against any impact on the safe and efficient use of the Parking Places.

Any crossover that would open onto an on-street parking bay will have to satisfy the additional criteria on that there should be no overall net loss in parking provision when considering both on and off-street parking bays once the crossover has been provided. This will include an assessment of the remaining number of on-street parking spaces. If the Council considers that there is additional loss of on-street parking spaces then an application will be refused.

For example, if the crossover would remove one on-street parking space but provides at least one off-street parking space, then these additional criteria is satisfied. If, however, the position of the crossover effectively removes two on-street parking bays, for example by not leaving enough space for cars to be parked in the remaining length of on-street parking bay and provides access to only one off-street parking bay, then the criteria is not satisfied and the crossover application will be refused.

In order to ensure that impact on parking is minimised the Council will only allow to construct crossovers measuring 2.4m wide in Resident Permit Parking Places or Controlled Parking Zones. No double crossovers will be allowed except in exceptional circumstances which would have to be clearly justified to the Council. Personal circumstances may not be a valid reason for justification of a double crossover.

If a crossover application that requires alteration to the layout of on-street parking bays is approved (most likely the removal of an on-street parking bay), you will be required to pay the full costs of any necessary changes to the parking bay. All on-street parking bays require a Traffic Order to be made

so any changes to a parking bay require the Traffic Order to be amended prior to construction of the crossover. You will be required to cover the Council's costs in making these changes in addition to all other relevant costs. Please note that amending a Traffic Order is subject to separate processes and consultation with no guarantee of success.

Where a crossover would lead to the removal of Pay and Display or Short Term parking bays an application will be refused unless it can be demonstrated that enough such bays remain to cater for demand.

REFUSED APPLICATIONS AND APPEALS

Where applications do not conform to the proposed Terms and Conditions criteria, you will be informed in writing of the reasons for refusal.

It is inevitable that, in some instances, applications will be received for properties which do not meet with the requirements of the current policy but are in areas where crossovers have been approved in the past for other properties. This will not be a reason for departing from the current policy and they will be refused.

The Council has an appeals procedure for rejected applications. Requests for reconsideration of a refusal on road safety grounds will not normally be considered if the policy has not been met. Appeals will be considered if the applicant believes there are exceptional circumstances or an error has been made.

Appeals against a refusal on road safety grounds will be dealt with by the Council's Senior Officer. All appeal applications should clearly set out why you believe a decision is incorrect or should be allowed and have to be submitted in writing to highway.licence@rbwm.gov.uk within 20 working days from the date of receipt of the formal refusal letter.



ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

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(LIGHT DUTY FOOTWAY / VERGE CROSSING)**

Sections 84, 85 & 86 New Roads & Street Works Act (NRSWA) 1991

Section 184 Highways Act 1980

Details of Applicant:

Name:

Address:

Post Code:

Phone:

Mobile:

E-Mail:

Details of Site (if different from above):

Property Owner:

Address:

Post Code:

Do you already have an existing legal access to the property? Yes No

If 'Yes' – is your application to improve/extend/modify an existing access? Yes No

Are you applying for an additional access? Yes No

Do you require planning permission or have previously applied for one? Yes No
(This is usually required if the access is to be constructed onto a Classified Road)

Where Planning Permission is required this must be obtained prior to submitting this application.

Planning Application Number: Date Granted:

A non-refundable administration fee of £50 is payable on submission the application by following the link: https://onlinepayments.rbwm.gov.uk/live/webpayments/ml_webpayselect.asp?PT=319. A further fee of £129 is payable for inspection and administration costs once application have been approved. You will be provided with the invoice for payment. On receipt of payment application will be processed.

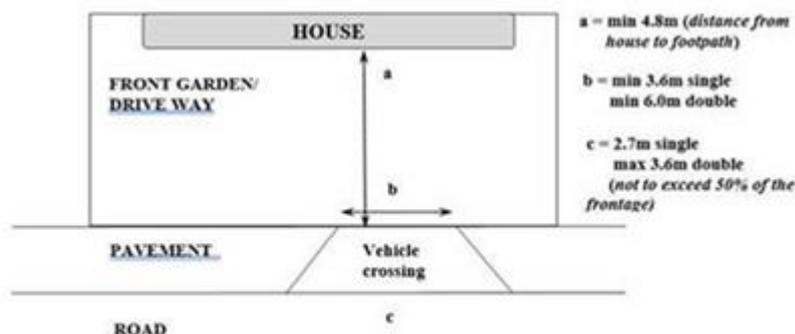
The personal details supplied on this form will be held by the Royal Borough of Windsor and Maidenhead and processed in accordance with the Data Protection Act (DPA) and privacy notices.

<https://www.rbwm.gov.uk/home/council-and-democracy/strategies-and-policies/data-protection/privacy-notice>

Proposed Site Layout:

Please draw a detailed sketch showing the layout and position of the proposed access. Show lamp columns, manholes, watercourses and other similar obstructions on the sketch. If porous material is not being used please show appropriate proposed drainage system. The diagram shows a typical layout for a vehicle crossing, as viewed from above your house, **dimensions need to be shown on your sketch of the proposed access and existing parking area. PLEASE ENSURE THAT PARKING AREA AS SHOWING ON THE DRAWING IS CREATED AND CAN BE VERIFIED AT THE TIME OF INSPECTION**

Sketch your layout here:



Declaration:

I/We hereby apply for permission to construct the vehicular access as described above. I/We confirm the details above are correct and acknowledge that the works referred to must be conducted in accordance with the requirements of the Highways Act 1980 and the New Roads & Street Works Act (NRSWA) 1991 and associated legislation and codes of practice together with any other conditions imposed by the Highway Authority.

I/We have read the Terms and Conditions for this application, which I/We understand and accept. I/We confirm that our application fully complies with requirements as stated within Terms and Conditions and understand that it will be refused should it not comply.

Signature of Property Owner: _____

Print Name: _____

Date: _____

When you have completed the application form please return it to: highway.licence@rbwm.gov.uk

The personal details supplied on this form will be held by the Royal Borough of Windsor and Maidenhead and processed in accordance with the Data Protection Act (DPA) and privacy notices.

<https://www.rbwm.gov.uk/home/council-and-democracy/strategies-and-policies/data-protection/privacy-notice>

Details of Contractor:

Name: _____
Address: _____

Post Code: _____
Phone: _____
Fax: _____
E-Mail: _____

Please enclose the following contractor details with your application – only contractors who have provided the following accreditation may work on the highway:

- Copy of Contractors Public Liability Insurance (to a min. £5 million)
- Copy of the New Roads & Street Works Act (NRSWA) 1991 Accreditation Details
- A copy of the Supervisors Registration Card
- A copy of the Operatives Registration Card

If you are going to use a contractor from the list below there is no need to fully complete this section, only the name of the contractor is required.

List of Contractors who have provided the required NSRWA accreditation details described above:

If you are intending to use one of the following contractors there is no need to complete the full Details of Contractor section above. You are not limited to using these; they merely offer some initial contacts. An alternative contractor can be used providing all legal & NRSWA requirements as described above are satisfied first.

Please be aware that your preferred contractor must allow you a 14 day cooling off period under Trading Standards legislation.

Carris Utility Solutions
Tel: 01689 808310
Mob: 07917 606335

GD Contracting Ltd
Tel: 01189 799988
Mob: 07703 740172

G&W Groundworks
Tel: 01628 673014
Mob: 07890039571

1st Choice DB Driveways
Tel: 01628 826780
Mob: 07850 433591

Sherwood Brother & Burton
Tel: 01628 634432

Eldridge Electricals Ltd
Tel: 01494 715956

Irvine Grenson Ltd
Tel: 01202 654943

Volker Highways Ltd
Tel: 01753 483300

Thamesway Contractors Ltd
Tel: 07836 713778
Mob: 01932 875153

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