

Highways authority requirements

London Borough of Richmond

1 November 2023

Inclusive of revised highway authority guidance as considered by the Transport and Air Quality Committee in November 2023 and Environment, Sustainability, Culture and Sports Committee in February 2024.

Highways authority requirements (November 2023)

Appendix – Front and Side Garden Parking

1. Taking account of the street-scene

1.1. The London Borough of Richmond upon Thames is primarily residential in character and enjoys a high standard of environment, which the Council seeks to maintain and improve. The increase in population and car ownership in general has resulted in more and more vehicles needing to find a parking space. Parking presents difficulties in many residential areas of the Borough, particularly where houses are not able to have garages and can be especially inconvenient where it is not possible for residents to park close to their homes, leading to increased demand for garden parking. The space between the road and the buildings fronting it is an important part of the environment, which can be seriously affected by the introduction of garden parking. This can be especially intrusive in front of or on the site of Listed Buildings, Buildings of Townscape Merit and in Conservation Areas.

1.2. As traditional gardens are replaced by hard surfaces and vehicles, the harmony and continuity of the street frontage is interrupted, and enjoyment of the buildings themselves can suffer as well as resulting in a reduction of wildlife habitats and permeable surfaces. The provision of crossovers and garden parking also reduces the supply of communal street parking, which itself perpetuates a proliferation of front garden parking as street parking becomes more difficult. Consequently, the Council will carefully control and manage the replacement of gardens with hard surfacing for car parking.. It would be acceptable for gardens to be used for parking where highway safety, biodiversity and drainage can be maintained or improved.. With a little thought the visual impact of such parking and the adverse effect on the natural environment can be reduced or eliminated, whilst still blending in more satisfactorily with the neighbourhood, often without involving significant extra work or cost, as in figure 1. (Caravans, boats and other vehicles, which are larger than a private car, should not be parked in gardens).

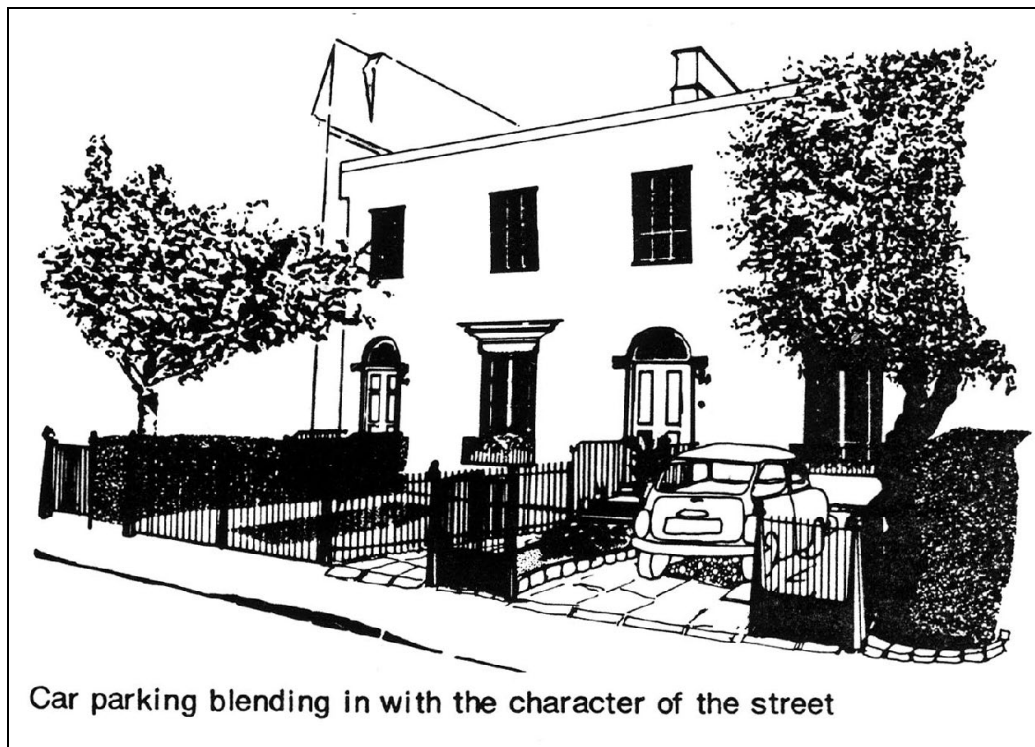


Figure 1.

2. Planning Permission

2.1. In many cases alterations to front gardens fall within the terms of 'permitted development', in which case planning approval is not required and therefore the Council as a planning authority has little control over the creation of forecourt parking. However, developers are reminded that where a parking space requires a new vehicle crossover, highway engineers will assess applications for crossovers in accordance with this guidance. Planning permission from the Local Authority is required in the following cases:

1. If a vehicle access and hard-standing is proposed to be created from a Classified road (**a separate application to the Highway Authority for the construction of the access will be required after planning permission has been granted**).
2. If the property is not a single family house i.e flats, bed-sits or commercial uses, and car parking is proposed in the front, side or rear forecourt/garden area.
3. If the property is a listed building, the boundary wall and other structures within the curtilage may also be listed. Listed building consent will be required for any works or alterations affecting the character of the building.

4. If the property is within a conservation area, consent will be required for the substantial demolition of any structure exceeding 115m³ and front boundary walls, fences and railings over 1.0m in height. If the proposals affect any trees, especially those with a Tree Preservation Order, the advice of the Council's Arboricultural Section must be sought prior to the commencement of any works.
5. If a boundary wall, railings or fence over 1.0m in height is to be erected abutting a highway or 2.0m elsewhere.

2.2. In areas where the Council consider that off street parking is having a damaging effect on the visual quality of the environment, a special direction, called an Article 4 (2) Direction can be made in order to control the problem. This order would remove the permitted development rights with regard to the formation of a forecourt and the provision of a crossover.

2.3 Virtually all front garden conversions, whether or not planning permission is needed, require highways consent for the provision of a vehicle crossover. To avoid incurring possible unnecessary planning fees, the Council strongly recommends that the Council's highways team is contacted regarding the likelihood of a crossover being granted before the submission of a planning application.

3. Design Principles

3.1. The Richmond upon Thames Local Plan aims as part of its objectives to:

'Protect and, where possible, enhance the environment including the heritage assets, retain and improve the character and appearance of established residential areas, and ensure new development and public spaces are of high quality design'.

while the Borough's Public Space Design Guide states:

'putting quality first, in terms of design and materials, we are committed to preserving the special character of the different places that make up our borough'.

3.2. Fundamental to both policies is that the materials used enhance rather than detract from the street scene and together with appropriate planting and landscaping, add to the visual experience of residents and visitors as well as enhancing the built and natural environment.

4. Overall Aims

4.1. The general aim of any design for off street parking in gardens, where it is acceptable and approved, should be to maintain as much sense of enclosure as is practical and safe through the retention, where possible, of existing walls, fences, railings or hedging, the minimization of hard surfacing and the provision of gates and

generous planting. If this can be achieved, the appearance and character of the street will be maintained and the negative visual impact of additional hard surfaces will be diminished.

Materials and landscaping in the garden

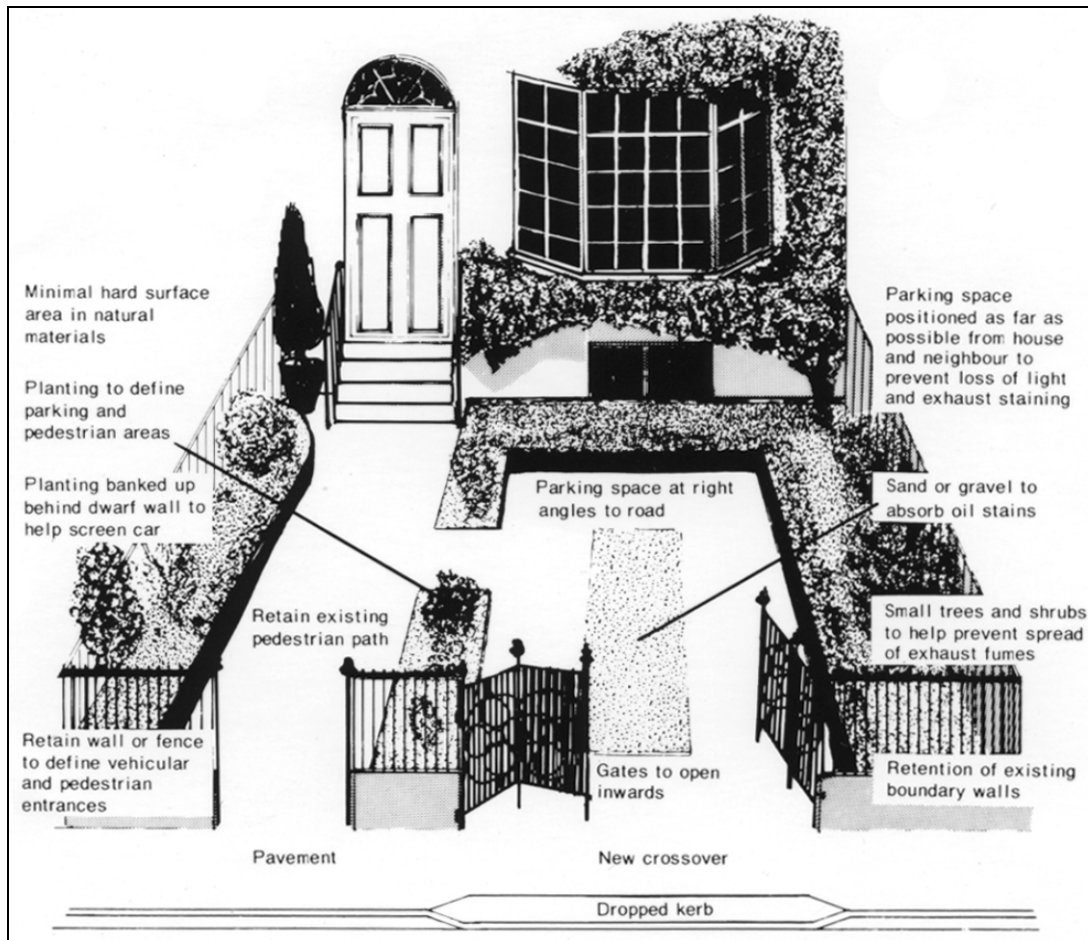


Figure 2.

4.2. Figure 2, shows a front garden parking configuration, which maintains existing planting/walls/railings and provides additional planting and gates in keeping with the locality.

The following guidelines will generally be applicable where off street parking is approved although each case will be looked at on its own merits and problems and solutions will vary from site to site:

4.3 Native planting, provided it is appropriate for the location, should be used wherever possible to encourage wildlife habitats and existing habitats should, as far as practicable, not be disturbed. Paving over of the whole front garden should be avoided.

4.4. The sub-base and finished surface should be laid at a slight gradient and must be of a permeable material, to allow the satisfactory drainage and absorption of rainwater. Water should not be allowed to drain from the property onto the footway therefore a length of drain or soakaway may be required at the site boundary to prevent this.

4.5. A bed of loose gravel sited in the centre of the parking space should be provided to help with the disbursement of oil.

4.6 A separate pedestrian footpath should be allowed for where there is space, as well as an area where refuse and re-cycling bins can be stored.

4.7. When choosing materials for use in the front garden, regard should be had to the colours and textures of the house and the character of its surroundings. In general traditional materials such as brick or stone are preferred as they weather well and mellow to complement existing buildings. This is particularly important where historic buildings and conservation areas are concerned. Small paving units are preferred as large slabs are easily broken. Suitable materials include:

1. Paving bricks

2. York stone slabs or setts (imitation York stone should be avoided as it rarely looks good) but only where provided in small units or over small areas that enable suitable drainage

3. Granite or other stone setts or cobbles but only where provided in small units or over small areas that enable suitable drainage

4. Concrete paving blocks such as Tegula (strident colours should be avoided)

5. Gravel needs to be contained to prevent spillage onto the footway and planted areas. Less graded aggregates such as Bredon gravel can be compacted by rolling.

6. Open concrete blocks or other paving products that allow grass to grow through. Asphalt and concrete should be avoided where possible.

(All the above materials should be laid on sand or granular material, which is permeable to aid drainage)

4.8. Where an opening has to be made in an existing wall, railing or fence, it should be kept to a minimum and made good at both ends to match existing materials and details, such as timber posts and piers. It will be expected that as a minimum one-third of the boundary wall/fence will be retained or re-provided to ensure a continued sense of enclosure. Where possible gates should be provided and suitable visibility to and from the footway will be a requirement. This is discussed in Section 5, Vehicle Crossovers. In order to meet visibility requirements, it may be necessary to recess a gateway and/or splay a boundary wall or fence.

4.9. Footway crossovers if approved will be provided to the design standards set out in the Public Space Design Guide, as may be amended to ensure pedestrian priority. This document has been adopted by the Borough and gives officers, developers and residents, guidance in streetscape design. It should be noted that existing crossovers do not set a precedent for new crossovers in a street and will not be accepted as argument for the provision of other crossovers which do not meet adopted policy.

5. Vehicle Crossovers

Highways Act, 1990 and London Local Authorities and Transport for London Act, 2003:

5.1. A crossover is the lowering of the footway for a short length to allow a vehicle to access the front garden of a property.

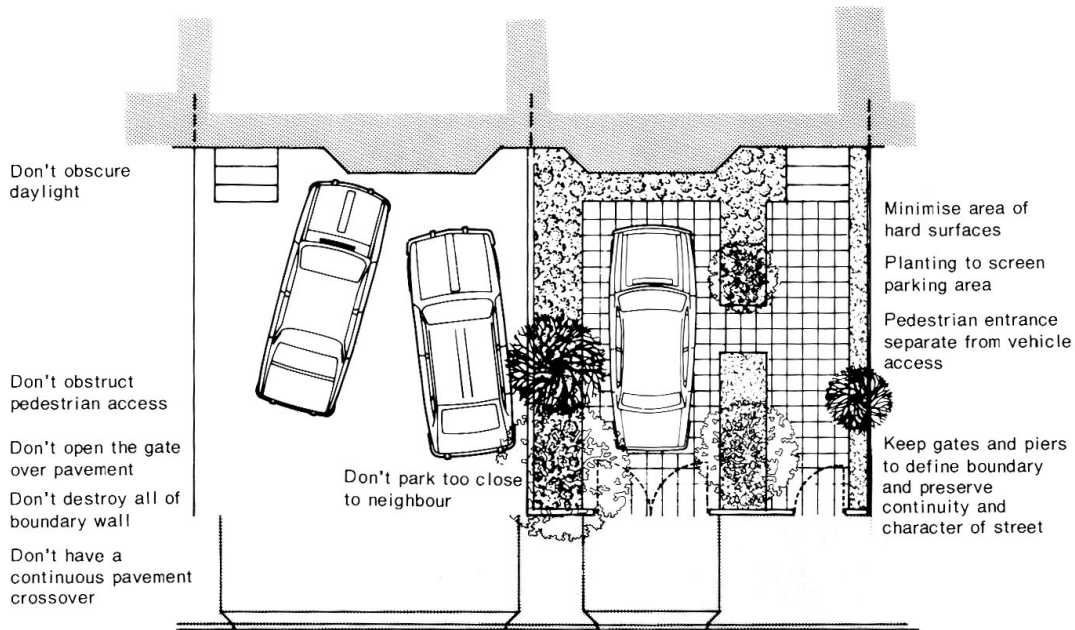
5.2. The owner of a property adjacent to a highway has a common right of access to that highway. However, under section 184 of the Highways Act 1980, if a house owner habitually takes a mechanically propelled vehicle over a footway without a properly constructed crossover, the Highway Authority can construct a vehicle crossover to the property at cost to the land owner, if such an access meets the Council's adopted crossover policy. The Council has adopted section 16 of the London Local Authorities and Transport for London Act, 2003, which allows Local Authorities to serve notice on a person taking a vehicle over a kerbed footway or verge adjacent to a road without a formal vehicle crossover, to stop doing so. If the infringement does not stop, the Authority can put in place measures to prevent a vehicle crossing the kerbed footway or verge. In serving notice the Local Authority has to have regard to the need to prevent damage to the footway or verge, safety of highway users and obstruction. The person who is served notice has the right of appeal to the Highway Authority and to the County Court. The Council will pursue this course of action where a formal vehicle crossing would not be approved because it would not meet the design requirements of this SPD, or would result in other negative highway impacts.

5.3. In constructing a vehicle crossover, the Highway Authority will have regard to the safety and convenience of other highway users, particularly pedestrians and having special regard for those with mobility problems and wheelchair users, and the standards required for the provision of a crossover to a property. These standards are set out below and have been formulated using the government's Manual for Streets as a basis and also having regard to the street scene requirements outlined in section 1 above.

Single, front garden parking spaces

5.4. On non-classified roads, the garden must be able to accommodate a car parked at 90° to the footway and the car-standing area must be a minimum size of 2.4m wide and 4.8 m long, with a further width of at least 2.4m. The parking space should not be sited in front of the main door to the house. This will maintain

access to the building for all pedestrians, people with disabilities and in case of emergencies. The size of the parking space will allow most vehicles to be parked without overhanging the footway. If gates are to be used they must open inwards towards the parking space, to avoid obstruction to the footway and therefore a longer garden length will be needed to accommodate this arrangement and a minimum of 10% of the garden surface area should be soft-landscaped (see figure 3), notwithstanding that the entire surface area should be water permeable and avoid water run off into the highway or a public sewer. Alternatively a sliding or folding gate may be used.



“Do’s and don’ts”

Figure 3.

5.5. For red routes and for classified roads with a speed limit of greater than 20mph , a vehicle crossover will only be approved if it can be demonstrated that a vehicle can enter and leave the site in forward gear. Turning on site will avoid vehicles being reversed onto these busy roads, avoiding a road safety hazard. While each application will be looked at on its own merits, a garden turning area of 8.0 x 10.0m is the minimum size for single dwellings and it will be expected that as much landscaping as practically possible will be retained. The use of turntables within front gardens to enable a vehicle to turn on site **may** be acceptable and planning permission is required prior to construction, both for the turntable, the boundary access opening and vehicular crossover to a classified highway.

Visibility and Sightlines

5.6. Visibility splays must be provided at the back of footway so that drivers can see pedestrians, particularly small children approaching on the footway. . Boundary treatment and landscaping within pedestrian and vehicle sightline envelopes, should not exceed 0.6m in height, although a 0.6m wall with railings above may be acceptable. This will ensure that pedestrian and vehicular sightlines are unimpeded, so enabling safe entry and exit from a property. Hedges and other vegetation are strongly supported but must be maintained so as to not impact upon visibility and sightlines.

Conditions for crossover provision

5.7. Crossovers will not be constructed within 5.0m of a road junction (measured from the edge of the kerb) or where the proximity of a crossover to a junction would compromise road safety. Road safety may be compromised by the proximity of a private vehicle access to a road junction, including opposite a junction, by generating conflicting traffic movements. A vehicle's turning movements into a private drive could be misinterpreted by other drivers, leading to an increase in accidents.

5.8. Yellow lines will normally be provided across crossovers within controlled parking zones, unless the applicant requests they are not installed. White lines to mark crossovers in areas that do not have parking controls will not be provided. White lines are un-enforceable and have now been superseded by powers under the 8th Local Authorities Act, which allows a 'penalty charge notice' to be issued to vehicles parked across or obstructing a vehicle crossover. White Lines are also detrimental to the visual impact of the crossover and can dilute the impact of essential lines.

5.9. Crossovers will not be constructed within the lines of a bus cage or within 5.0m of a bus stop or other locations where they would be likely to interfere with buses stopping to pick up/set down passengers. This also takes into account the likelihood of the bus stop being extended to meet the requirements of the Disability Discrimination Act.

5.10. Applications for crossovers within the zig-zag lines of road crossings and school keep clear markings will not be agreed to, as they cause hazards close to where a high number of vulnerable pedestrians may be expected to congregate.

5.11. Approval, where it is given, will be for a single crossover at a width of 2.4m. This will standardise the size of accesses, avoid large lengths of footway being made over to crossovers, minimise their visual impact on the street-scene, minimise loss of landscaping in the garden and retain as much kerbside space for general community parking as possible..

5.12. In many areas of the Borough on-street parking is in short supply because of narrow roads and/or existing accesses. In such streets provision of a crossover where it results in a net overall loss of parking space will not be permitted.

5.13. Where a new development is built as a row of houses on a plot of land adjacent to a publicly maintained footway and vehicle accesses are part of the scheme, where these are acceptable and they meet current policy, these will be paired to a maximum width of 4.8m flat section. Between each pair a 5.5m gap/footway width must be provided, which will allow a safe area for:

- pedestrians to stand whilst waiting for manoeuvring vehicles
- locating street furniture and utility boxes
- maintaining a useable on street parking space.

5.14. Where neighbours may wish to share a crossover, the width of flat section should be between 2.4m and 4.8m, with the minimum width preferred.

5.15 A garage must be set back at least 5.5m from the boundary of the footway with the site, so that a vehicle can pull off the road. This will prevent obstruction of the road or footway while the garage doors are opening. The sightline requirements for garages and the provision of gates remain as previously set out. Dimensions for new or re-built garages are 3.0 x 6.0m. The measurements are clear internal dimensions and will allow most vehicles to park and the doors to open sufficiently for passengers to alight. An aisle width of at least 6.8m, preferably 7.3m must be provided between rows of garages.

5.16. Underground parking spaces accessed directly from a footway require a minimum level standing area (maximum gradient 1:20) of 5.5 x 5.0m adjacent to the footway. This will allow two vehicles to pass each other, avoiding obstruction of the road and footway and achieve sightlines for emerging vehicles. The maximum crossover flat section that will be agreed in these cases will be 3.5m with 0.5m ramps. In all cases vehicles must be able to enter and leave the underground car park in forward gear. Maximum gradient of the main ramp must not exceed 1:8.

5.17. Footway crossovers grouped together for more than 2 vehicles in a row, will not be permitted on publicly maintained highways. Sightlines from these spaces are diminished and they present a large area of crossover for pedestrians to negotiate, as well as removing on street community parking.

5.18. On estates that have been built with open plan front gardens that have no formal boundaries between them and the gardens form an integral part of the landscaping of the estate, crossovers will be resisted so as to ensure the continuity of appearance of the estate.

5.19 Crossovers will be required to be located at least 2.5 metres from lamp columns, telegraph poles and other street furniture and road features such as speed cushions. This will ensure that the street furniture does not interfere with vehicle access and sightlines and the road features do not cause damage to vehicles when accessing a property. The costs of moving any street furniture to make a crossover acceptable will be charged to the applicant.

Construction Materials for Crossovers

5.20. To lessen the visual impact on the street-scene the choice of materials used for constructing crossovers will be matched, as closely as possible, to the existing material on the main part of the footway. This will result in crossovers being constructed using paving slabs or asphalt over the full width of the crossover, avoiding the use of concrete. This also has the advantage of allowing utility companies to make non- intrusive permanent repairs after any excavation in the footway.

5.21. Some roads have been identified where the street scene would be enhanced by using different or bespoke materials. These are generally where traditional granite set or blue brick 'stable block' crossings should be reintroduced, such as areas where there is a pattern of historic crossovers in designated conservation areas.

Location of street trees

5.22. Existing street trees are an asset and the provision of trees can significantly enhance the street-scene. With such a large number of street trees within the Borough, a number of crossover applications are refused on the grounds that to construct the crossover would be detrimental to the environment, particularly where a tree will require felling or be damaged in the view of the Arboricultural officer. The Council has a street tree policy and all applications for crossovers must be compliant with this policy - https://www.richmond.gov.uk/media/sbgcak2l/tree_policy.pdf

5.23. Where there are street trees, applicants when providing information and a plan of the crossover location, should ensure that the position of the crossover (including 0.5m taper), will not be within 4 times the circumference of the tree, once fully grown. Approvals for new crossovers within this zone would only be given if the tree in question is deemed to be dead, dying or dangerous by the Arboricultural Officer and can be removed. Where it is agreed by the Arboricultural officer that a tree or vacant tree pit may be removed the applicant will need to fund the planting of an additional tree, the location of which is to be determined by the Director of Environment in consultation with the Arboricultural officer. This will help to preserve the overall appearance of the street- scene and ensure healthy mature trees are not removed from the street environment.

5.24. Trees can often suffer if the roots are cut which may lead to damage and loss of the structural integrity of the tree, as well as adversely affecting the environment if it is removed. If roots greater than 25 mm in diameter are encountered when constructing the crossover then the Council's Arboricultural Officer may order the work to stop and the footpath replaced. The crossover would then be abandoned and any payments to the Council by the applicant in respect of the actual construction costs (not processing fee) will be refunded. Cutting of roots greater than

25mm can lead to premature death. If roots are left in situ then there is the likelihood that the root will continue to grow and cause damage to the crossover leading to a hazard for pedestrians.

Verges

5.25. Approval for a vehicle crossover will not be given where its construction requires a part of a grass verge (the verge being 1.0m in width or more), to be removed. The removal of part of the verge will have an adverse effect on the street-scene and visual amenity of the road.
