

# Design Guidance No.3: The construction of hardstandings and vehicular crossovers





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# 1. Introduction

This guidance note is one of a series which provides advice on various types of development within the Borough. It deals with the design of hardstandings for parking vehicles outside domestic properties and the provision of access to the hardstanding.

Permitted development rights changed as of 1 October 2008

## **This means that for hardstandings;**

The installation or renewal of a hard surface of more than 5 square metres of domestic front garden with an impervious material requires an application for full planning consent, unless provision is made to direct run-off water from the hard surface to a permeable, or porous area, or surface within the curtilage of the dwelling house. The use of a permeable material would be considered permitted development.

Front gardens contribute positively to the aesthetic charms and character of streetscapes and the setting of individual groups of properties throughout the Borough. Barnet has numerous green spaces, covering approximately 848 Hectares which is more than one third of its land.

This guidance note will assist you in considering the layout and the materials to choose in your new hardstanding. It is very important to use a design which allows surface water to soak away. This can be either porous paving, which contains small holes that allow rainwater to pass through, and / or permeable paving, which has gaps between each of the pavers for water to penetrate through. Both significantly reduce water running off onto the highway when compared to traditional impermeable paving, such as concrete and tarmac.

## 2. Background

Front gardens provide an important physical boundary between your dwelling and the public realm. They can enhance the privacy of your home as well as filtering out the noise and air pollutants produced by pedestrians and motorised traffic. Front gardens with perimeter walls, hedges or fences can offer safer spaces in which children can play and they often contribute to the natural habitat of wildlife. It is thought that urban green space has a positive effect on health and well being, by enhancing sensory and aesthetic awareness.

The severe rainfall over the summer of 2007 resulted in treacherous flooding throughout parts of England and Wales. This was detrimental to key infrastructure and resulted in the loss and damage to many homes and businesses.

Our gardens play an important role in the water cycle. They help to reduce the risk of flash flooding by soaking up an average of 10 litres of rainwater per minute (Royal Horticultural Society). Soft landscaping prevents water running away from gardens onto the highway and flushing oil, petrol or diesel down the drains and into our rivers, which compromises the quality of water (Defra). The use of porous surfaces is discussed at the end of this guidance note.

Increased car ownership and the resultant increase in demand for parking spaces has led to congested roads and has prompted many households to consider transforming their front gardens into a hardstanding to provide off-street car parking. Using good design and a little imagination you can combine parking provision with an attractive and welcoming front garden. This guidance note sets out principles of good design for hardstandings and vehicular access which should be followed as much as possible. Guidance is also provided on the circumstances in which formal approval will normally be required from the council.

### 3. Applying for a vehicle crossover

For a new vehicular access, or amendment to an existing access, households require a crossover to be constructed (dropping the kerb) to allow vehicles to access the hardstanding across the pavement. An application for a crossover must first be made and approved by the Crossover Team in the Environment and Operations Directorate before you submit your planning application to convert your front garden into a hardstanding for vehicle use. There is a charge to do an initial assessment, please contact the Crossover team on 020 8359 3016 for up-to-date fee information . Applications for Crossovers within a Control Parking Zone (CPZ) are subject to the outcome of public consultation and cannot be prejudged. They will assess the suitability of your proposal on highways ground and this will be treated separately from any planning permission that might be required. Detailed Vehicular Crossover Application Guidance Notes can be obtained from the Crossover Team in the Environment and Operations Directorate.

Section 163 of the Highways Act 1980 states that surface water run-off must not flow directly onto the public highway and any proposal that does not meet this requirement will be refused (LB Barnet, Vehicle Crossover Application Guidance Notes). To help inform your design we have provided advice on sustainable drainage systems (SUDS), at the end of this guidance note. When applying to the Crossover Team in the Environment and Operations Directorate for a vehicle crossover, the property owner will be asked to enter into a deed to ensure that no vehicle overhangs the footway. This is a condition for every crossover application.

Planning permission is required for a crossover on a classified road.

### 4. How much space do I need to construct a hardstanding in my front garden?

The area needed to park your car should be a minimum of 2.4m in width to allow parking at right angles to the footway. It is advised to leave a clear space of approximately 500mm between any vehicle and the public highway and at least 1m between the hardstanding and the front of the property. This area can be used for planting and can reduce staining to the building from exhaust fumes. (see diagram of good design on page 8).

## 5. Do I need planning permission to construct a hardstanding?

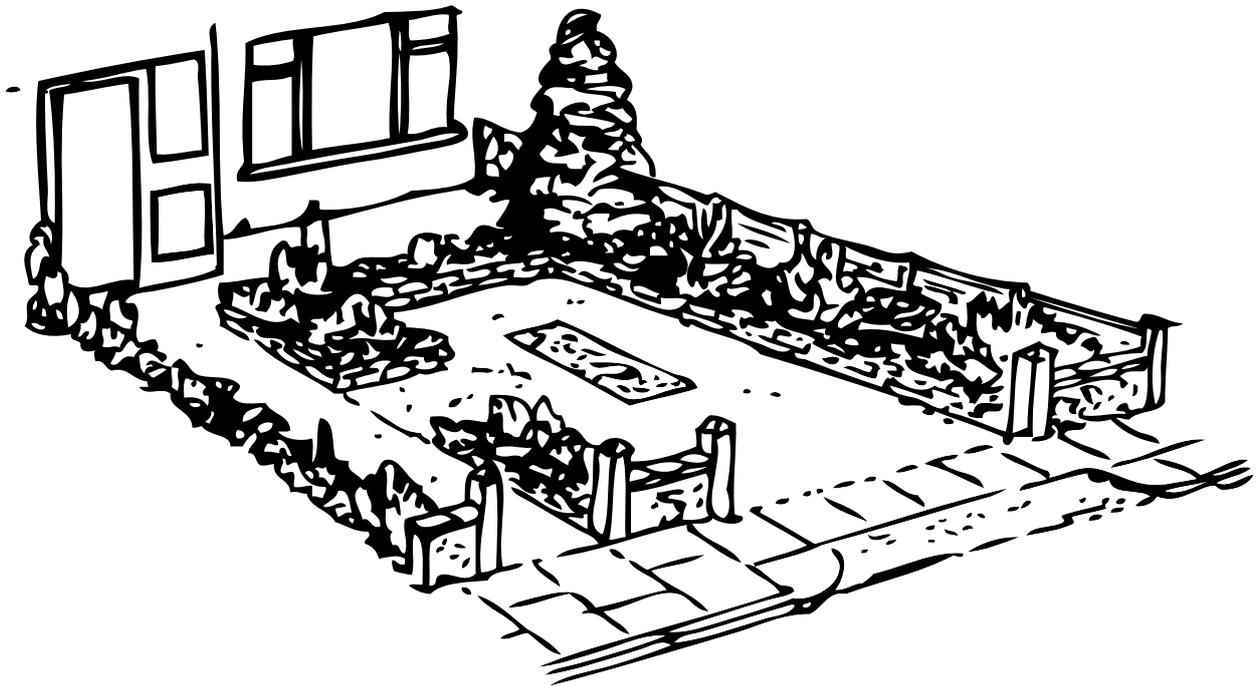
In some circumstances constructing a hardstanding is considered to be permitted development and does not require full planning permission. Only when your application for a vehicular crossover has been accepted by the Crossover Team in the Environment and Operations Directorate can you commence turning your front garden into a hardstanding for vehicle use. It is not permissible to access a hardstanding by crossing the pavement without an authorised crossover.

**Below are some of the common reasons why you would need planning permission to construct a hardstanding:**

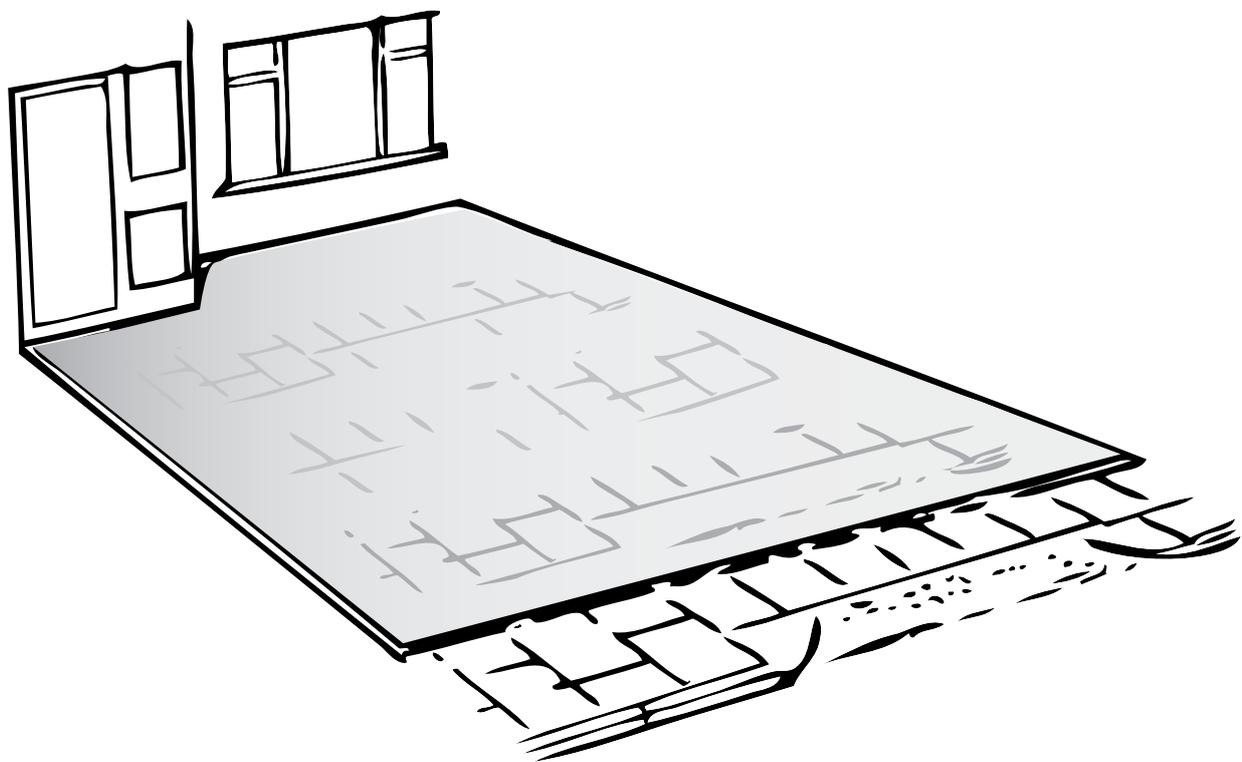
1. if you live in a detached, semi detached or terraced house which has been subdivided into flats or is used for any other purpose apart from a single dwelling house including commercial operations
2. if your property is listed, then listed building consent may be necessary, in addition to planning permission. For example, if the listed building or any boundary feature is to be affected
3. if your property is located within a conservation area that is subject to an Article 4 direction removing permitted development rights. Residents of Hampstead Garden Suburb will also need to apply for formal consent from the Hampstead Garden Suburb Trust Ltd
4. if your proposal is likely to affect a tree (or its roots) in a conservation area then relevant notification of those works to the Council is required. If your proposal is likely to affect a tree (or its roots) that is protected by a Tree Preservation Order then an application for consent under the terms of the Tree Preservation Order will be required
5. if you are constructing a hardsurface that exceeds an area of five metres squared that is impervious to rainwater (these controls were introduced on 1 October 2008)
6. if the creation of the hardstanding would result in significant level changes either by excavating or importing material to increase or decrease the levels then this would constitute an engineering operation that would be development requiring planning permission.

## 6. How to design the layout of your front garden

**Good design:** Using permeable gravel for the hardstanding whilst retaining vegetation creates a colourful and pleasant street environment.



**Bad design:** Completely paving over your garden reduces the surface area that can absorb rain and detracts from the attractiveness of the streetscape.



The following points need to be considered when designing the layout and choosing the materials to be used in your hardstanding.

**a. preserving local character and retaining existing planting**

**b. providing level access, ensuring safety and crime reduction**

**c. considering existing street furniture and trees**

**d. Sustainable Urban Drainage Systems (SUDS): using a permeable surface to drain rain water.**

**a. Preserving local character and retaining existing planting**

It is important that the design of your hardstanding maintains a balance between hard and soft landscaping and contributes positively to the streetscene. The following advice should be considered:

- the area intended for the hardstanding should be the minimum space necessary to allow a vehicle to be parked at right angles to the road
- a hardstanding can be a very intrusive feature in your front garden and its impact can be lessened by retaining mature trees and shrubs or creating areas of new planting
- a planted strip or hedge between the vehicular and pedestrian access can help to break-up the appearance of the hardstanding. Planting around the fringes of the hardstanding can also be used to good effect and may be used to help screen the vehicle
- if an opening is made in an existing wall, fence or other boundary feature, the ends should be made good with matching or sympathetic materials
- pedestrian gates should be retained and any new walls, fences or other boundary features should reflect the traditional style of the local area and may require planning permission. (Design Guidance Note No. 9 provides more detailed information on walls, fences and gates). Gates should not, under any circumstance, open out over the pavement
- a strip of grass or gravel placed in the centre of the hardstanding can hide leaked oil and maintain the look of your front garden.

**b. Providing level access, ensuring safety and crime reduction**

The council is committed to creating an environment that is physically accessible to all users. The thought put into your design proposal will determine how easily hardstandings and front gardens may be accessed. Consideration needs to be given to the movement of people and

vehicles entering and leaving the hardstanding as well as protecting the wellbeing and security of the occupants and property. The following advice should be considered:

- a front wall, fence or other boundary feature is often useful to prevent access to the hardstanding to deter crime and anti-social behaviour by using existing or new walls, fences or other boundaries should be used to clearly define your private front garden space from that of the public realm
- to allow good visibility for cars leaving the hardstanding, vegetation or other features such as gates and walls should not be over 1m high within 2m on either side of the entrance to the hardstanding
- your car should not overhang the pavement, should not block the entrance to the building and a clear pathway should be provided at the entrance to the building
- landscaping, including shrubs, should not impede the opportunity for natural surveillance and the front of your building should be open to view. Shrubs that have a mature growth height of no more than 1.5m and trees that have no foliage below 2m are an ideal choice for maintaining an eye level field of vision
- buildings open to the public must be accessible to people with disabilities. For more information on parking and access provision for public buildings see Buildings Regulations 2000, Access and Facilities for Disabled People, Approved Document M, 2004 edition.

### c. Considering existing street furniture and trees

Trees and grass verges are an important feature of many streets and can provide an important habitat for birds. The following advice should be considered:

- you should try not to disturb the ground near a tree or large shrub. Always contact the council's Tree and Landscaping section (within the Planning Department) to see if any trees are protected by a Tree Preservation Order or if your proposal affects any tree (or its roots) in a conservation area
- access to a hardstanding, including the crossover should be located so that it does not affect existing street furniture or street trees. Normally a minimum distance of 1.2m will be required between a proposed crossover and any existing street furniture or tree (see London Borough of Barnet, Vehicle Crossover Application Guidance Notes)
- it is unlikely the council will approve the removal of healthy, mature trees or other highway features such as street lamps or a wide grass verge. However where works are approved which require the removal and/or replacement of highway features, the cost of such works must be borne by the applicant. In addition, if any statutory utility boxes, cables, pipes, etc are affected by the crossover works; the costs associated with this must also be borne by the applicant.

#### d. Sustainable Urban Drainage Systems (SUDS): Using a permeable surface to drain rain water

Winter rainfall is likely to increase in some areas by as much as 30 percent by 2080 (Defra). The council's strategic policy on design requires that all new development utilises environmentally friendly methods of design and construction to help mitigate the impacts of climate change which causes increased rainfall, potential flooding and water course pollution (London Borough of Barnet, Unitary Development Plan). By using permeable materials SUDS can be applied to your hardstanding easily and relatively cheaply.

There are three main ways of constructing a permeable driveway, depending on the specific site. In some cases more than one method can be applied.

1. utilising an existing green or gravel area
2. guiding water away from any impermeable area towards a vegetated area, or soakaway
3. constructing a driveway from block paving or other permeable surface.



**Loose Gravel and Resin Bound Gravel:** Loose gravel is the cheapest option for hard surfacing. However to stop the spread of gravel onto the highway use matrix pavers (see below) or Resin bound gravel.



**Matrix Pavers or Cellular Paving:** Are made from recycled plastic and hold an aggregate of your choice such as resin-bounded gravel.



**Brick Pavers:** The most traditional style of permeable paving. Water is allowed to penetrate into the ground through the gaps between each paver. It is important they are laid correctly onto a compacted aggregate so the water can drain away freely, and the correct depth of sand (no more than 30mm after compaction.)

These products and other pervious paving materials should be available at your local D.I.Y store as well as online.

## 7. Powers to enforce the advice in this leaflet

If works subject to planning control are carried out without first receiving written consent, the council has the power to ensure that the breach of planning legislation is remedied. This could require reinstating the garden to its former appearance, or re-surfacing a hardstanding with more appropriate materials, which is likely to be a very expensive exercise for the owner of the property. In the case of a listed building, any person who executed or caused the works to be executed is liable to prosecution in addition to enforcement proceedings outlined above.

In addition to any planning requirements, if a hardstanding is used for parking vehicles without there being a properly constructed crossover, under Section 184 of the Highways Act (1980) the local highways authority can require a crossover to be constructed and recover any costs from the property occupier. Overhanging vehicles can be extremely hazardous to pedestrians, particularly to those who are mobility or visually impaired. It is also an offence under Section 137 of the Highways Act 1980 to wilfully obstruct the highway. Therefore the property owner is required to sign a legal agreement agreeing not to overhang the footway with any part of the vehicle and is lodged with local land charges. It forms part of deeds of the property and is transferable on sale of the property. Currently a fee of £150.00 is payable by the applicant for this legal agreement.

## 8. Other useful publications

### Are available from:

Planning Reception  
Barnet House, 2nd Floor  
1255 High Road, Whetstone N20 0EJ

tel: 020 8359 3000

fax: 0870 889 6818

- The Adopted Unitary Development Plan (May 2006) London Borough of Barnet  
[www.barnet.gov.uk](http://www.barnet.gov.uk)
- Sustainable Design and Construction (2007) London Borough of Barnet  
[www.barnet.gov.uk](http://www.barnet.gov.uk)

### Design Guidance Notes

- Advertising and Signs (Note 1)
- Selection and Siting of Satellite Antennae (dishes) (Note 2)
- Removal or Alteration of Chimney Stacks (Note 4)
- Extensions to Houses (Note 5)
- Replacement of Windows and Doors (Note 6)
- Residential Conversions (Note 7)
- Materials and Colour (Note 8)
- Walls Fences and Gates (Note 9)
- Shopfronts (Note 10)
- Porches (Note 11)
- Designing to Reduce Crime (Note 12)
- Going smoke free – A Draft Planning Guidance Note on Smoking Shelters and other features (Planning Officers Society)

### Conservation Area Character Appraisal Statements

- Cricklewood, Railway Terraces
- Glenhill Close
- Golders Green Town Centre
- Hampstead Garden Suburb
- Hampstead Garden Suburb, The Bishop's Avenue
- Mill Hill
- Monken Hadley
- Totteridge
- Watling Estate
- Wood Street

### Conservation Area and Listed Building Guidance Notes

- Hampstead Garden Suburb Design Guidance (Joint publication with HGST)
- Listed Building Consent and Conservation Area Consent: Guidance Notes for applicants
- Design and Access Statements: CABE (2006)  
[www.cabe.org.uk](http://www.cabe.org.uk)
- The Party Wall etc. Act 1996: Explanatory Booklet DCLG (2002)  
[www.communities.gov.uk](http://www.communities.gov.uk)
- Planning, A Guide for Householders DCLG (2006)  
[www.communities.gov.uk](http://www.communities.gov.uk)
- Protected Trees, A Guide to Tree Preservation Orders DCLG (2004)  
[www.communities.gov.uk](http://www.communities.gov.uk)

## 9. Bibliography

The Royal Horticulture Society, Horticultural Advisory Services February 2005

Communities and Local Government, PPS 25 Practice Guide, Managing Surface Water, June 2008, page 103, (5.51)

Communities and Local Government & Environment Agency, Guidance on the permeable surfacing of front gardens, September 2008

Defra: Future Water: The Government's Water Strategy For England, Chapter 5 – Surface water drainage, February 2008, page 55 (5), 57 (11)

London Borough of Barnet: Vehicle Crossover Application Guidance Notes

London Borough of Barnet: Unitary Development Plan, 2006, page 38 (4.1.1, 4.1.2), 39 (4.2.1)

London Borough of Barnet: The Three Strands Approach (2005)

Environment Agency - Sustainable Drainage Systems (SUDs)



For further information please contact:  
London Borough of Barnet  
Planning Group, Urban Design and Heritage  
North London Business Park, First Floor, Building 2  
Oakleigh Road South, London N11 1NP  
Telephone: 020 8359 3000