

Portsmouth City Council Provision of Vehicle Access Policy 2019

All applications for the construction of a dropped kerb to allow access to private property from the public highway will be assessed under the criteria listed below by an officer from Portsmouth City Council or their appointed representative.

If the property meets the criteria then it will be approved and the resident given permission to construct a dropped kerb. If the application is rejected then the resident will have one opportunity to make an appeal including additional information not assessed in the original application, for consideration by Portsmouth City Council Regeneration - Transport Service.

Portsmouth City Council Regeneration Service can then decide to approve, approve with modifications or reject the application and/or subsequent appeal.

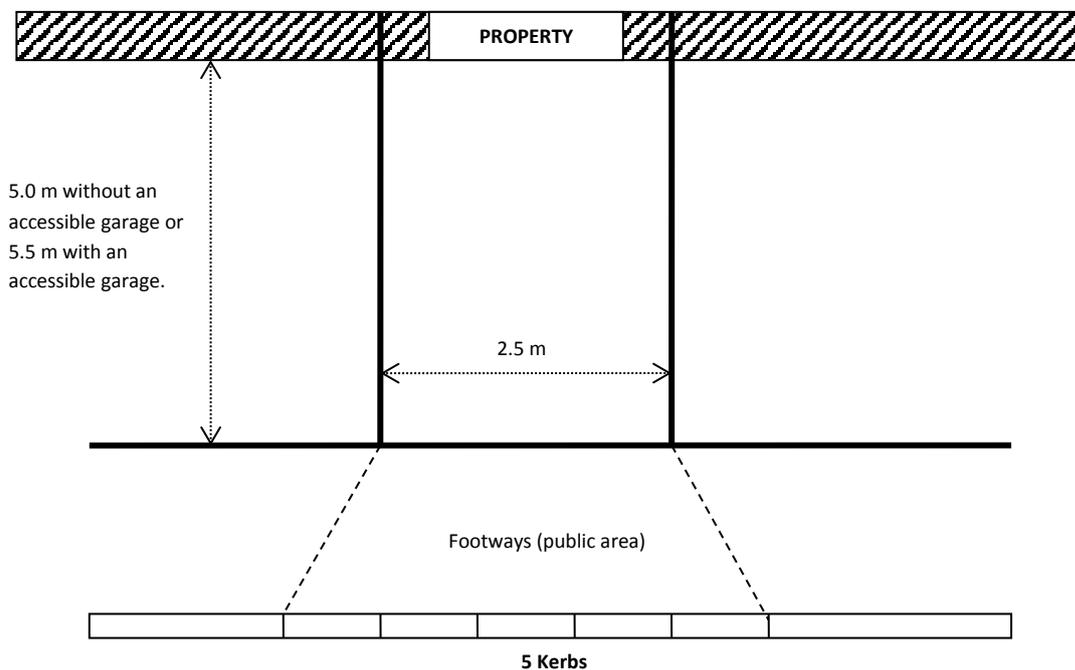
Criteria

Safety of Pedestrians and Vehicles using the dropped kerb:

Required space on the property to allow safe manoeuvre of vehicles on and off the property

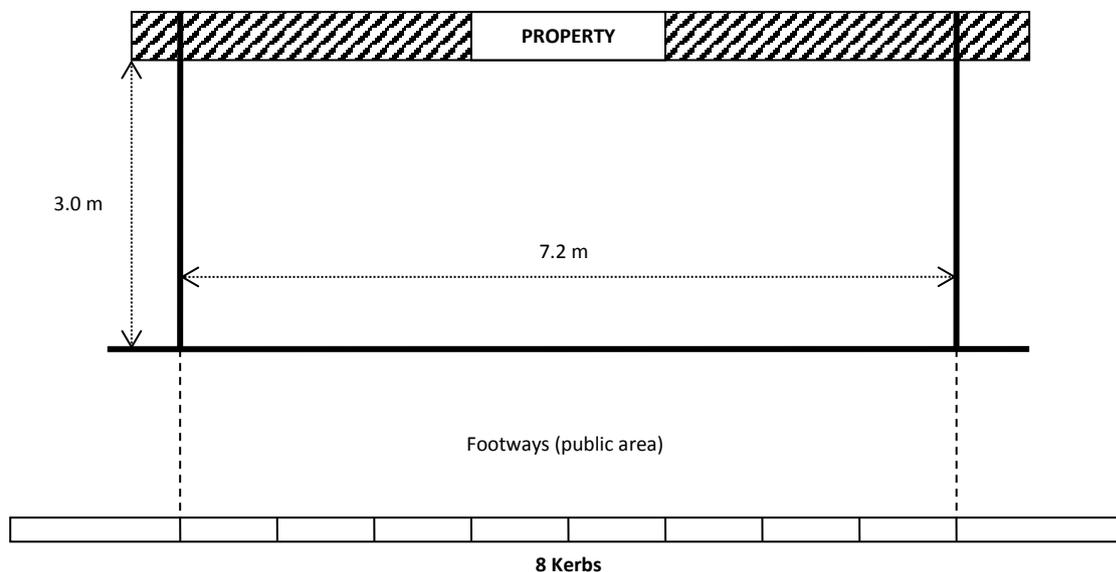
Traverse Parking

2.5m width and 5.0m depth of clear forecourt/front garden space. If the resident intends to drive the vehicle into a garage accessible from the dropped kerb there must be 5.5m depth to allow for garage doors to be opened.



Longitudinal Parking

7.2m width and 3.0m depth of clear forecourt/front garden space



Changes in gradient to the footway

The slope of the footway leading to a private driveway cannot be too steep for a pedestrian including those with mobility issues and vehicles. Any slope steeper than the optimum 1 in 12 (approx. 60mm up for every 1 metre along) is likely to prove difficult for pedestrians with mobility issues and 1 in 14 (approx. 70mm up for every 1m along) is likely to cause damage to the underside of a vehicle. Construction of a dropped kerb creating a gradient steeper than 1 in 14 will not be permitted.

Proximity to a bus stop

Approval will not be given to dropped kerbs within the lines of a bus cage or within 10 metres of a bus stop to ensure there is no disruption to buses being able to pick up/set down passengers.

Proximity to Controlled Crossings/Keep Clear Markings/School Zig Zags.

In accordance with the Local Transport Note 2/95 - The Design of Pedestrian Crossings there must be a minimum distance of 20 metres between a dropped kerb and a signalised crossing and a minimum distance of 5 metres from the end of Keep Clear Markings. Approval will not be given to dropped kerbs situated within the minimum distance limit.

Assets on the Highway

Grass Verges

If a grass verge is removed for the construction of a dropped kerb then it must be replaced by a permeable material that allows infiltration through the material rather than allowing surface water to roll onto the highway into the nearest gully.

Street Furniture

The top of the taper on either side of the dropped kerb must be a minimum 1 metre away from highway assets owned by Portsmouth City Council this includes benches, directional or instructional road signs, dog and general refuse bins, lamp columns including street lamps and illuminated road signs and street name plates. Approval will not be given to crossovers within 1 metre of street furniture unless an alternative location is agreed by Portsmouth City Council. The cost of removal and relocation of street furniture is the responsibility of the property owner.

Street Trees

If there is tree outside the property then the tree must be assessed according to "Trees in relation to Construction" - recommendations - British Standard 5837:2012 to determine its health and root protection area.

The root protection area (RPA) is a measurement of 12 x the diameter of the base of the tree. This will ensure the continued life and safety of the tree.

Approval will not be given to any crossovers in the RPA of a healthy tree to ensure continued growth and the safety of pedestrians and vehicles passing underneath it.

Utility company assets

If there is a communications cabinet or chamber, fire hydrant, manhole, stop cock or telegraph pole in front of the proposed dropped kerb then prior agreement is required from the company that owns that apparatus to lower, move or strengthen it. All costs associated with this work is the financial responsibility of the resident.

Planning and Property Requirements

Existing Dropped Kerb

If the property has an existing dropped kerb then a second separate dropped kerb will not be approved.

An extension to an existing dropped kerb will be approved if there is a gap greater than 5m between the proposed top taper of the drop kerb extension and the next dropped kerb.

If there is a gap of less than 5 metres between the 2 dropped kerbs then this will be approved if the resident agrees to lower the whole gap between the two properties as part of the construction and at the residents cost. One on street parking space is calculated at 5 metres in length, if a gap of less than 5 metres is left between 2 dropped kerbs then a vehicle can park there and overhang the dropped kerbs causing problems for residents trying enter or egress their hard standing.

Gates

If the applicant intends to install gates over their dropped kerb entrance on their boundary then these must open inwards.

Garage

If there is a garage at the front of property that is equal to or greater than 2.5m x 5.0m and is accessible then a dropped kerb will not be approved. Any garages accessible from the highway smaller than those measurements are exempt from the policy.

If there is a garage at the rear of the property that is equal to or greater than 2.5m x 5.0m and accessible by an access road that is wider than 3.25m in width then a dropped kerb will not be approved.

Any garages or access roads to the rear of properties smaller than those measurements are exempt from the policy.

Planning Permissions

Separate full planning permission from Portsmouth City Council is required for dropped kerbs in the following circumstances:

- The proposed dropped kerb leads directly onto a classified road;
- The proposed dropped kerb is not for a single use private dwelling, i.e. Commercial property or HMO;
- The property is in a Portsmouth City Council Conservation Area or is listed;
- If the proposed dropped kerb affects any trees on private or public land that are subject to a Tree Preservation Order;
- If the applicant intends to erect a boundary wall, fence, gates or trellis taller than 1.0m adjacent to the highway;
- If the proposed area to be hardened is greater than 5m² or the resident intends to use non-permeable material for construction.

Rented Properties

If the property is rented the applicant must present prior written agreement for construction from the property owner upon application.

Residents Parking Zones

If the construction of a dropped kerb in a residents parking zone has a positive impact on on-street parking i.e. construction allows the removal of more than one vehicle then it will be approved. Any costs associated with the amendment of Traffic Regulation Orders will be the responsibility of the resident.

If the construction of a dropped kerb has a negative impact on on-street parking i.e. construction allows the removal of one vehicle but reduces the on street parking by the equivalent of more than one vehicle then the application will not be approved.

This is to balance the need for on and off street parking in areas with recognised parking pressures.

Appeals Process

If an application for a dropped kerb is refused in the first instance by Portsmouth City Council or their appointed representative then the applicant has the right to one appeal.

The process for these appeals is as follows:

1. The applicant receives their refusal stating why the application has been refused. The applicant is advised that if they believe that there are exceptional circumstances related to their personal situation or their property that has not been taken into account by the first application process they can contact Portsmouth City Council Regeneration Service - Transport for one appeal.
2. This appeal can be via e-mail, letter or personal call and should include any information that the applicant wishes to be taken into consideration.
3. The appeal is acknowledged by Portsmouth City Council Regeneration Service - Transport within 10 working days and assurance given that the appeal will be complete within a further 20 working days.
4. The appeal process will be carried out by officers from the Regeneration Service and will consist of a desk top mapping exercise assessing the property and information provided in the original application with the policy, a site visit if necessary with prior agreement from the applicant and a review of any additional information provided.
5. A report containing the results of the review and a recommendation to approve, approve with modifications to reject the appeal will be submitted to the Assistant Head of Service for Transport or their delegated representative for review and final sign off.
6. After sign off the resident will be contacted, if the appeal report is approved, the applicant will be referred to Colas Limited as the maintenance authority for Portsmouth City Council to make the necessary arrangements for construction of the dropped kerb. If the appeal report is rejected then the applicant will be informed and the matter has been fully investigated and considered closed by the Regeneration Service.
7. The applicant can follow the Portsmouth City Council Corporate Complaints procedure if they believe the appeals process was not implemented appropriately.

Historic Dropped Kerbs

Dropped kerbs given permission under the criteria of the 2005 and 2010 versions of the Provision of Vehicle Policy will not be subject to a new assessment under the 2019 version of the policy.

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