

# ABERDEEN CITY COUNCIL

## REGULATIONS GOVERNING DRIVEWAYS

### 1. APPLICATIONS FOR A DRIVEWAY

#### A. Council Houses

Applications for approval in the first instance should be made to Neighbourhood Services Central (Sales and Consents), St Nicholas House, Broad Street, Aberdeen.

#### B. Housing Association Houses

The consent of the Housing Association should be received prior to submitting an application for approval to the Neighbourhood Services South, St Nicholas House, Broad Street, Aberdeen.

#### C. Privately-Owned Houses

Applications for approval should be made to Neighbourhood Services South, St Nicholas House, Broad Street, Aberdeen.

All applications must include a suitable plan **clearly** showing the location of the proposed driveway and the dimensions along with the construction details.

Applicants will be advised if planning permission is required and application forms will be sent to them by the Strategic Leadership Services, St Nicholas House, Broad Street, Aberdeen if necessary.

Reasons for requiring planning permission include :

1. The property is a flat.
2. The construction work involves over 0.5 metres depth of excavation or infill.
3. The footway has grass over 2.5 metres wide.
4. The driveway accesses on to a classified route.
5. The property is a listed building or in a conservation area.

There is a standard charge for the submission of a planning application and so it would be advisable to ensure compliance with the following conditions prior to applying for planning permission.

### 2. STANDARD CONDITIONS

**All** applications must satisfy the following standard conditions or the application may be rejected :

1. The length of the driveway must be a minimum of 5 metres contained within the property. However if it is longer than 7 metres then it must be at least 10 metres long.
2. The driveway should not be situated within 15 metres of a road junction.
3. There must be adequate visibility provided.
4. If the access to the driveway is off a main road then vehicles must be able to enter and exit in a forward gear.

5. Generally only one footway crossing per property is allowed.
6. The driveway must be internally drained with no surface water discharging on to the public road.
7. Loose material (e.g. stone chippings) must not be used to surface any of the first 2 metres length adjacent to the footway.
8. The gradient should not generally exceed 1:20 (in certain circumstances this may be relaxed to 1:15).
9. The driveway should meet the public road at right angles.

**Additional conditions for Council House tenants include :**

1. The driveway must be constructed entirely on ground of which the applicant is the sole tenant.
2. The applicant establishes to the satisfaction of the Head of Service, Neighbourhood South that at the date of the application the applicant owns or otherwise lawfully possesses a private car or such other vehicle approved by the Council to be parked on the proposed driveway.
3. The applicant must include in the application a site plan of the garden ground attached to the applicant's house or block of terraced or flatted houses of which the applicant's house forms part, as the case may be, and illustrating the proposed driveway in relation to the building and the street or rear access lane, as the case may be.

**3. FOOTWAY CROSSING**

1. All approved driveways with access across a footway must have a footway crossing constructed by Aberdeen City Council at the expense of the applicant. An application for a footway crossing should be made through Neighbourhood Services South, St Nicholas House, Broad Street, Aberdeen. If a driveway is used without a footway crossing and the owner refuses to agree to pay the costs for a crossing then the Council will be at liberty to uplift and remove the driveway and recover the costs for doing so from the owner.
2. Before the construction of the footway crossing is undertaken the applicant must make full payment of the cost of the footway crossing works.
3. The normal width of a footway crossing is 3 metres but this may be increased to an absolute maximum of 6 metres in certain circumstances.

**4. ADDITIONAL REGULATIONS FOR COUNCIL TENANTS**

1. The tenant shall maintain the driveway in a proper state of repair and in a clean and tidy condition and shall, within seven days of being called upon by the Council to do so, remedy any defects therein or any deterioration in its condition.
2. An approved driveway may only be used as a parking space for a private car or other approved vehicle belonging to or lawfully possessed by the applicant or member of the household. It must not be used for

any other purpose.

3. Where an approved driveway has been constructed the applicant shall not park or permit parking of any vehicle elsewhere within the garden ground other than on the approved driveway.
4. The tenant shall have no right of property in an approved runway and in the event of the tenant's removal from the house for whatever reason the tenant shall have no claim for compensation for the expense incurred in the construction and maintenance of the driveway or in the construction of the footway crossing.
5. The Statutory Undertakers shall have right of access at all times to any service affected by the existence of the driveway.
6. In the event of a tenant knowingly or wilfully contravening any of the Regulations governing the use and maintenance of an approved runway, the Council shall be at liberty, after seven days' written notice of their intention to do so, to uplift and remove the driveway and footway crossing and to recover the cost of so doing from the tenant.