

## ABERDEEN CITY COUNCIL

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COMMITTEE: Enterprise, Planning and Infrastructure

DATE: 27 October 2009

DIRECTOR: Gordon McIntosh

TITLE OF REPORT: Driveway Application at 3 Primrosehill Drive, Aberdeen

REPORT NUMBER: EPI/09/038

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### 1. PURPOSE OF REPORT

This report will outline the case of a driveway application which has been refused on the basis of not meeting Roads Consent Policy.

The location of the application is 3 Primrosehill Drive, Aberdeen.

### 2. RECOMMENDATION

It is recommended that the application for a driveway at 3 Primrosehill Drive be refused as it is contrary to policy and would cause a road safety hazard to other road users but especially to pedestrians.

### 3. FINANCIAL IMPLICATIONS

There are no financial implications as the applicant would be responsible for all costs involved in the construction of the driveway and associated footway crossing should the Committee choose to allow the application.

### 4. SERVICE & COMMUNITY IMPACT

The contents of this report link to the key aims of Social Inclusion and Sustainable Development in that presenting cases for reconsideration against decisions made by the Council is “tackling discrimination and promoting social justice and fairness”.

The decision was taken in the interests of public safety but the applicant has raised an appeal through a local Member and the issue should now be considered by Committee in line with approved procedure.

### 4. OTHER IMPLICATIONS

Commserve/admin/committee formats/new report template

None

## 5. REPORT

At its meeting of 27 September 2005 the Policy & Strategy Committee resolved to approve a revised Roads Consent Policy for the assessment of driveway applications. Section 2 of the revised policy refers to the length of the driveway and states that 5.0 metres is considered the minimum length for a driveway so that an average car parked in the driveway will not overhang the footway. Vehicles overhanging the footway cause a road safety hazard to pedestrians especially those with a disability and children. The policy also refers to visibility and in order to achieve acceptable visibility in both directions a vehicle should be able to enter and exit a driveway at right angles to the main road. This is also in the interests of road safety. On occasions the Council do allow vehicles to park at an angle or even parallel to the road but this is only when there is enough space to allow a vehicle to manoeuvre within the property so that it can enter and exit at a right angle. Members will note that the policy does not take into account levels of pedestrian activity fronting the property as the road safety consideration, especially those for children or people with mobility difficulties or impaired sight, deemed that the policy should apply in all cases irrespective of local circumstances.

In this instance the front garden is only 4.45 metres deep and 6.5 metres long. Therefore an average sized car parked at right angles to the road would clearly overhang the footway. The overall available space would not allow a vehicle to enter and manoeuvre internally to allow the vehicle to exit at right angles to the road. There would be problems for visibility were such an arrangement be proposed.

Across the city it is possible to find examples of driveways which do not conform to the current policy and these are generally historic. More recently an approved driveway at 7 Primrosehill Drive has been created which allows the vehicle to park parallel to the main road. However in this case the garden is much longer, about 10 metres long, than the one under consideration and allows a degree of manoeuvrability to allow the vehicle to enter and exit through a 4 metre wide gate which forces it to enter and exit perpendicular to the road.

One of the local Members, Councillor Neil Fletcher, fully supports the public safety concerns which have given rise to the policy but feels that different locations with lesser pedestrian activity can at times justify a departure from policy. Councillor Fletcher believes that a strict adherence to policy in this case would amount to onerous restrictions being put in place where no public safety issue currently exists.

Officers already apply certain amount of flexibility when considering applications and work with applicants to develop acceptable solutions where possible. However in this case it is not considered that it is possible to create a driveway which does not compromise road safety.

## 6. REPORT AUTHOR DETAILS

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## 7. BACKGROUND PAPERS

Plan of site.



**Title : 3 Primrosehill Drive, Aberdeen**  
**Driveway application**

**Scale: 1:500**

**Date: 02 October 2009**

**Map Ref: NJ9208SE**