

Guidance for Vehicular access to a highway (residential)



North Tyneside Council

Planning

This advice relates to the construction of an accessway from a residential dwelling to a highway. You will need planning permission for a dropped kerb if you live on a classified road (A, B or C). The Council's Highways team can advise whether the road is classified.

Part 2, Class B of Schedule 2 of the General Permitted Development Order (England) 2015 permits any means of access to a highway which is not a trunk road or a classified road, where the access is required in connection with an existing or proposed development which is permitted by Part 1, Class E and/or F of Schedule 2 of the General Permitted Development Order (England) 2015, such as a garage or hardstanding. This does not include access to a new gate.

There is no restriction in length for any accesses permitted under Class B, Part 2 of Schedule 2.

In order for the accessway to be "required in connection" with a permitted development, it must be shown that any existing access is insufficient.

Any associated development such as fences or gate accesses would be assessed separately under the criteria as set out under Part 2, Class A, of Schedule 2 of the General Permitted Development Order (England) 2015.

In addition, you may need planning permission for any proposed hard surface within the curtilage of the dwellinghouse. Where the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres, the hard surface should be made of porous materials, or provision should be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. Otherwise planning consent would be required.

If the property in question is a flat, planning consent will be required for any hard surfacing works.

In addition, some properties may have had these permitted development rights removed. This means that planning consent is required. Please check with the Planning Department: General number 0191 643 2310 or email: development.control@northtyneside.gov.uk

When proposing a new hard surface or vehicle access the following criteria should be taken into consideration. Should planning permission be required for your proposed access and/or hard surface, this criteria would be considered as part of the determination process.

- A minimum distance of 5m from the highway boundary to any wall, fence or garage door is required. Garage doors that open out will require 5.5m. Discretion may be applied and cases will be determined on an individual basis.
- A crossing will generally not be approved within 15m of a junction.
- Gates must open inward.
- Hardstandings accessed at any angle will not be acceptable due to reduced visibility when emerging from the drive.

- Up to a maximum of four centre kerbs (at road level to enable a vehicle to travel across the footpath) be permitted for a single width drive and six centre kerbs for a double width drive.
- Full frontage dropped kerbs will not be permitted for residential premises in order to prevent the loss of on-street parking.
- In/out drives will generally not be permitted in order to prevent the loss of on-street parking space.

It is your responsibility to have any wayleaves granted to cross any land not your ownership that is between your property's boundary and the highway.

What to do if you require a dropped kerb?

Contact the highways team Tel: (0191) 643 6130 or e-mail highways.environment@northtyneside.gov.uk

What happens next?

- On contacting the office an appointment will be made.
- You will be met on site by a member of the Highways team to agree the size and location of the dropped kerb.
- If requested a price quotation will be provided to you by either email or post.
- You can engage a private contractor to install the dropped kerb providing they are approved and can provide a copy of their public liability insurance which allows them to dig in the public footway.
- You must apply for planning permission, if it is needed.
- Following planning approval, payment is made and a start date is agreed.
- The dropped kerb is installed.
- The dropped kerb is inspected by a representative of our highways team.

Be aware of non-professional/accredited contractors

All contractor arrangements must be made between the applicant and contractor alone. Only use a professionally/accredited contractor.

- Approved contractors will not knock on your door offering a cheap crossing.
- It is illegal for anyone to dig up the highway or store materials on the highway without permission.
- If an illegal crossing has been constructed, Capita, on behalf of North Tyneside Council, will issue an order to reconstruct the crossing to an approved standard.
- The householder will be charged for any additional work needed for the crossing to meet standards.