



'Trees', Coniston Road,  
Bromley, BR1 4JB

Addendum Highways Report

For

Mr Richard Dicker

## Document Control Sheet

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'Trees', Coniston Road, Bromley, BR1 4JB

Mr Richard Dicker

This document has been issued and amended as follows:

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## 1.0 Introduction

- 1.1 Motion has been instructed by Mr Richard Dicker to prepare this Addendum Highways Report to address a highways related refusal **associated with a planning application at a site known as 'Trees', on Coniston Road, Bromley, BR1 4JB (herein referred to as "the site")**.
- 1.2 The proposal sought planning permission for five residential dwellings to replace one existing dwelling. Two car parking spaces were proposed for each unit, albeit one space was proposed in front of each dwelling with a second space located within the site boundary adjacent to Elstree Hill.
- 1.3 The previous scheme (application reference 18/02909/FULL1) was refused by London Borough of Bromley (LBB) on two grounds, one of which was highways related. Reason for refusal 1 stated that:
- "The proposed development would not provide an adequate layout of car parking on site and would be liable to obstruct the public right of passage and prejudice the free flow of traffic and conditions of general safety along the adjacent highways contrary to Policies T3 and T18 of the Unitary Development Plan, Draft Policies 30 and 32 of the Proposed Submission Draft Local Plan and Policies 6.12 and 6.13 of the London Plan."***
- 1.4 Further consideration of the above reason for refusal is set out in this report.

## 2.0 Planning and Policy Background

- 2.1 As noted previously, a planning application on this site was refused permission in August 2018, with two reasons for refusal. Reason for refusal 1 relates to highways and stated that:

***"The proposed development would not provide an adequate layout of car parking on site and would be liable to obstruct the public right of passage and prejudice the free flow of traffic and conditions of general safety along the adjacent highways contrary to Policies T3 and T18 of the Unitary Development Plan, Draft Policies 30 and 32 of the Proposed Submission Draft Local Plan and Policies 6.12 and 6.13 of the London Plan."***

- 2.2 The accompanying officer report expands further on this point, stating that:

***"The Council's Highway Officer has reviewed the current application and raised an objection to the level of parking provided off road at the site as detailed above. It is therefore considered that there will be a significant impact on parking in the vicinity and obstruction to the right of passage within the highway due to the use of this area for parking. Therefore the proposal is considered generally unacceptable from a highways perspective."***

*Elstree Hill translocated from the London Borough of Lewisham to Bromley in April 1994, as the result of boundary changes. Lewisham advised Bromley that they had always regarded Elstree Hill as an "unmaintained public highway", viz. an "unadopted highway", except for the access to Nos. 8, 10, 12 and 14, on the southern side, which is maintainable. Bromley has accepted this view.*

*As an unadopted highway, the public right of passage extends between the boundaries of the street and, notwithstanding that the Applicant may own the soil of part of the Elstree Hill, this cannot be used for the parking of vehicles as illustrated in this application without causing an obstruction of the public right of passage."*

- 2.3 Whilst the ownership of Elstree Hill is a legal matter outside of planning considerations, there are various relevant points of note in respect of what defines a 'public right of passage' based on the composition of the existing road layout. This is addressed in the following Section of this report.

### Policy Context

- 2.4 The following paragraphs summarise those policies referred to within the highway related reason for refusal.

#### *London Plan*

- 2.5 Policy 6.12 of the London Plan relates to road network capacity and states that:

***"In assessing proposals for increasing road capacity, including new roads, the following criteria should be taken into account:***

- ▶ ***the contribution to London's sustainable development and regeneration including improved connectivity***
- ▶ *the extent of any additional traffic and any effects it may have on the locality, and the extent to which congestion is reduced*
- ▶ ***how net benefit to London's environment can be provided***
- ▶ *how conditions for pedestrians, cyclists, public transport users, freight and local residents can be improved*
- ▶ *how safety for all is improved.*

***Proposals should show, overall, a net benefit across these criteria when taken as a whole. All proposals must show how any dis-benefits will be mitigated."***

2.6 Policy 6.13 relates to parking and states that:

*"The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use.*

*The maximum standards set out in Table 6.2 in the Parking Addendum to this chapter should be the basis for considering planning applications...*

*Outer London boroughs should demonstrate that they have actively considered more generous standards for housing development in areas with low public transport accessibility (generally PTALs 0 -1) and take into account current and projected pressures for on-street parking and their bearing on all road users, as well as the criteria set out in NPPF (Para 39)."*

2.7 Table 6.2 allows for up to a maximum of 1.5 spaces per dwelling for three bed units and up to two spaces for 4-bed units. Both standards are maximum.

*LBB Unitary Development Plan*

2.8 Policy T3 of the UDP states that off-street parking spaces in new development will be expected to be provided at levels no higher than the parking standards set out in Appendix II. The standards allow for a maximum of two parking spaces per unit.

2.9 Policy T18 states that in determining planning applications, the Council will consider as appropriate the potential impact on road safety and will seek to ensure road safety is not adversely affected.

*Draft Local Plan*

2.10 Draft Policy 30 relates to car parking, and indicates that residential developments located in a PTAL 2-6a location should provide between 1-1.5 spaces for 3+ bedroom properties. Developments in a PTAL 0-2 location should provide a minimum of 1.5 spaces for 3+ bedroom properties.

2.11 Draft Policy 32 relates to road safety, and in much the same way as UDP policy T18 states that the Council will consider the potential impact of any development on road safety and will ensure that it is not significantly adversely affected.

*Summary*

2.12 Consideration of the above policy context is summarised within the following section of this report.

### 3.0 Response to Reasons for Refusal

- 3.1 The following paragraphs respond to the aforementioned reason for refusal in detail regarding parking provision, highway safety, and highway design.

#### Adequate Parking Layout On-Site

- 3.2 LBB consider the proposed parking layout on site to be inappropriate, as the provision of one space in front of each dwelling would not be sufficient to meet the demands of the proposals and is contrary to relevant parking standards.
- 3.3 Each dwelling will have one off-street car parking space at the front of the property and one located on Elstree Hill, to the immediate north of the site. The parking spaces located at the front of each property are positioned at 90-degree angles to the carriageway. Each property will benefit from a new dropped kerb, which is commonplace in the immediate surrounding area. Coniston Road is a private unadopted highway which is likely to attract low vehicle speeds. Therefore, the provision of a dropped kerb per property is considered acceptable in highway safety terms.
- 3.4 The current London Plan parking standards allow for up to a maximum of two spaces for 4-bed units, whilst the current LBB parking standards are contained within the LBB Unitary Development Plan (UDP) and are maximum standards allowing up to two spaces per unit. The provision of one space per unit on-site is therefore in accordance with both current parking standards, irrespective of the proposed parking arrangement adjacent to Elstree Hill.
- 3.5 The Draft Local Plan is not adopted, and therefore whilst some weight can be applied to its policies, those policies contained within the current UDP should be given more weight. The draft Local Plan states that developments in a PTAL 0-2 location should provide a minimum of 1.5 spaces for 3+ bedroom properties. Whilst the proposals do provide two spaces per unit, if parking alongside Elstree Hill is discounted the proposals would fall short by 2.5 parking spaces.
- 3.6 On-street parking already takes place on all roads surrounding the site including Elstree Hill and Coniston Road. The highway network is shown within this report to be of a sufficient width to accommodate the free flow of traffic and on-street parking and therefore there is no evidence to show that on-street parking is a highway safety issue. This is particularly relevant when considering the surrounding roads attract low volumes of traffic and low vehicle speeds.
- 3.7 On this basis, the proposed parking arrangement on-site is considered appropriate irrespective of whether parking on site adjacent to Elstree Hill is accounted for.

#### Obstruction to Public Right of Passage/Free Flow of Traffic

- 3.8 The following paragraphs comment on various aspects, namely the extent of land ownership associated with the application site, the current use of Elstree Hill as a 'highway', and the implications of providing additional parking provision on land under the applicants ownership adjacent to Elstree Hill.

#### Applicant's Land Ownership

- 3.9 The red line of the application site is shown to extend to the centre of Elstree Hill and it is therefore likely that this property, alongside other properties located adjacent to Elstree Hill own to the centre of the carriageway. It is however noted that the carriageway has become a public right of way over time, and therefore continued access must be maintained. It is therefore a question of whether Elstree Hill has sufficient width to accommodate a safe passage for two-way vehicle movement and pedestrian movement alongside parking for the development proposal, and whether the verge proposed to be used for parking forms part of the highway.

- 3.10 Parking would take place on land that is currently a grass verge and is owned by the applicant and which shows no signs of wearing due to vehicles or pedestrian movement. The applicant maintains that the highway is the section used by traffic and pedestrians and is currently surfaced with a mixture of roadstone and hardcore and ballast. The lack of wear on the verges shows that the highway, formed of the roadstone and hardcore is sufficient for present use. This means that if vehicles were to park on the verges they would not interfere with the existing highway.

*Existing Elstree Hill Carriageway*

- 3.11 Elstree Hill connects Coniston Road with Warren Avenue to the west of the site. It provides direct access to circa 17 properties, alongside two cul-de-sac's. **It also connects with the residential road of Madeira Avenue.**
- 3.12 The majority of properties on Elstree Hill benefit from off-street parking, although it is noteworthy that the property located to the north of the application site (north-west corner of the Coniston Road/Elstree Hill junction) has no off-street parking provision. As a result, vehicles are commonly seen parking on Elstree Hill (as shown in Figure 3.1 below).



Figure 3.1 - Junction of Coniston Road with Elstree Hill (© Google Maps)

- 3.13 The above parking takes place clear of the existing footway, which extends along the property boundary from Coniston Road. Indeed, the effective width of the Elstree Hill carriageway is significant, meaning that parking can take place and still allow for two-way traffic flow. Figure 3.2 below illustrates the width of carriageway available.



Figure 3.2 - Junction of Coniston Road with Elstree Hill (© Google Maps)

- 3.14 Elstree Hill consists predominantly of compacted stone and patches of tarmac, creating an uneven surface that acts as a speed reducing measure. It also contains various pot holes and would not appear to be maintained on a regular basis.
- 3.15 LBB stated as part of the application that the provision of parking alongside the application site would **create an "obstruction to the right of passage within the highway"**, despite parking being proposed on an existing verge. Figures 3.3 and 3.4 below illustrate an existing residential property fronting onto the northern side of Elstree Hill where a drive-way in brick pavers has been constructed that extends across the verge and then extends further beyond the verge into the carriageway in concrete. It is clear therefore that adjacent properties have built on land within what LBB consider the extent of unadopted highway without impacting on the free flow of traffic or presumably any objections from the authority.





Figures 3.3 and 3.4 - Property of Elstree Hill (© Google Maps)

3.16 Figure 3.5 below shows a car parked on the private grass verge immediately adjacent to the applicants site. This photo indicates that the car is not obstructing the unmade carriageway.



Figure 3.5 – Observed Parking on Existing Verge on Elstree Hill

3.17 The existing carriageway is as shown within Figure 3.6 below, which constitutes:

- ▶ Up to a 2.5 metre wide footway/partial grass verge on northern side of carriageway;
- ▶ Gravel/ballast surface circa 8-10 metres in width; and
- ▶ Grass verge circa three metres in width.



Figure 3.6 – Existing Carriageway Extent including Carriageway, Grass Verge, and Footway

- 3.18 It is clear that the existing 'highway' constitutes the unmade gravel surface that is up to 10 metres in width, as this is more than sufficient to accommodate all traffic movement. The existing carriageway does not include the grass verge on the southern side as this is undisturbed by passing vehicle movement. A street lighting column is located on the edge of the effective carriageway meaning that the grass verge cannot be used for passing vehicle movement.
- 3.19 Whilst the effective carriageway width reduces towards the south of the site, it still measures approximately eight metres in width at its narrowest point. It is clearly separate from the existing verge bounding the application site which is some three metres in width, whilst the existing footway/verge on the northern side is approximately 2.5 metres in width.
- 3.20 Existing foot and pedestrian traffic is currently being accommodated by the 8-10 metre wide stone surface highway.

*Potential Revised Elstree Hill Carriageway*

- 3.21 Figure 3.7 below illustrates how it is possible to create a formal carriageway of six metres in width alongside two metre wide footways on both sides of the carriageway. This can be accommodated alongside providing for parking associated with the application site. It is not proposed to formalise the carriageway, although it is clear that this could occur in the future should this option materialise. If this were to happen then this could occur within the 8-10m width still leaving the verges in private ownership.



Figure 3.7 – Alternative Carriageway Alignment

- 3.22 The above is robust as it still makes an allowance for a grass verge on the northern side of the carriageway. The carriageway itself could be widened further if required, such is the extent of land available within which to potentially formalise Elstree Hill.
- 3.23 Guidance contained within Manual for Streets (MfS) suggests the following in respect of carriageway widths:
- ▶ 4.1 metres width = Sufficient for two cars to pass, but not a car and HGV;
  - ▶ 4.8 metres width = Sufficient for a car and HGV to pass, but not two HGVs; and
  - ▶ 5.5 metres width = Sufficient for two HGVs to pass.
- 3.24 MfS does also state that a HGV or bus can measure 3.0 metres in width when including wing mirrors, and therefore six metres provides a more robust carriageway width for passing HGV movements.
- 3.25 MfS also states that *"the design of new streets or the improvement of existing ones should take into account the functions of the street..."* It continues by stating that *"carriageway widths should be appropriate for the particular context and uses of the street"*.
- 3.26 The nature of Elstree Hill is such that it is likely to attract a negligible level of HGVs trips, primarily only those requiring access to existing dwellings. Indeed, observations on site indicate that Elstree Hill attracts an immaterial number of vehicle movements. Observations on site on a typical weekday recorded a total of three vehicles over a 45 minute time period. The nature of the carriageway will reduce speeds meaning that a narrower effective carriageway width is more appropriate.
- 3.27 It is clear therefore that six metres is a robust figure that can be accommodated alongside footways on both sides and parking for the development. If the remaining verge on the northern side of Elstree Hill was also removed then the carriageway width could be increased to circa 7.5 metres.

- 3.28 Observations of other carriageway widths in the surrounding area demonstrates that the above existing and potential revised arrangement can be accommodated and still provide an effective carriageway width in excess of surrounding roads. Coniston Road for example measures approximately 7.5 metres in width, which accounts for two-way passing vehicle movement and an element of on-street parking on both sides of the carriageway. Ulswater Close benefits from a formal tarmac surface and carriageway width of six metres.

### General Safety along Adjacent Highways

- 3.29 The reason for refusal refers to the proposal affecting general safety along adjacent highways. This report has however demonstrated that parking can take place on Elstree Hill on an existing verge that will not affect the free flow of traffic. Irrespective of the above, there is sufficient width to accommodate a formal carriageway with two footways alongside formal parking for the development.
- 3.30 Traffic flow on Elstree Hill and surrounding roads is negligible, whilst all surrounding roads benefit from generous carriageway widths to enable parking to occur alongside two-way passing vehicle movement.
- 3.31 On-street parking occurs on Coniston Road and to a lesser degree on Elstree Hill at present without creating any highway safety concerns. A review of crashmap.com for the most recent five years worth of data does not show any incidents occurring in the vicinity of the application site. Therefore, even if the proposed parking on Elstree Hill is discounted, some overspill parking is unlikely to create a highway safety concern.
- 3.32 The above is particularly relevant when considering car ownership in the surrounding area is marginally over one car per household (1.18), indicating that one of the five proposed dwellings may own two cars. This would mean the potential for one car parking on-street in the surrounding area if no parking is provided on Elstree Hill.

### Policy Context

- 3.33 The following paragraphs review the proposal against that of the various local and regional policies quoted by LBB within their reason for refusal.

### UDP Policies

- 3.34 The highways officer considers the scheme to be contrary to Policy T3 of the current LBB UDP, which requires the development to provide parking in accordance with the LBB adopted standards. The standards allow for a maximum of two parking spaces per unit.
- 3.35 As the standards are maximum standards, allowing up to two spaces per unit, the provision of one space per unit on-site is therefore in accordance with this standard. The current UDP does not have a minimum standards.
- 3.36 Irrespective of the above, this report has already shown that a second space per unit can be accommodated on the existing verge alongside Elstree Hill without prejudicing the free flow of traffic or general highway safety. Therefore, the proposal is fully in accordance with Policy T3 of the LBB UDP.
- 3.37 Even if the parking spaces proposed along Elstree Hill were discounted, it cannot be assumed that the proposed dwellings will result in overspill parking on-street. Car ownership census data for the surrounding area indicates that car ownership is marginally over one car per household (1.18). This suggests that one of the five proposed dwellings may own two cars, which would mean the potential for one car parking on-street in the surrounding area if no parking is provided on Elstree Hill.
- 3.38 On-street parking currently takes place on surrounding roads, including both Coniston Road and Elstree Hill. The introduction of one further vehicle will be immaterial and not likely to result in a highway safety concern.

- 3.39 Policy T18 seeks to ensure that a proposal will not adversely affect highway safety. It has been shown above that the proposals will accommodate all parking demand either on-site or within the proposed spaces adjacent to Elstree Hill. The parking layout adjacent to Elstree Hill does not impact on the free flow of traffic and is therefore not contrary to Policy T18. Even when discounting those parking spaces located alongside Elstree Hill from the calculation there is sufficient parking provision on site as the current LBB standards are maximum.
- 3.40 Irrespective of the fact that this report shows that additional parking can safely be accommodated on Elstree Hill, the potential addition of one additional vehicle on-street based on current car ownership levels will not result in a highway safety concern in the surrounding area, particularly when considering on-street parking already takes place on all roads surrounding the site including Elstree Hill and Coniston Road.

*Draft Local Plan Compliance*

- 3.41 The Draft Local Plan is not adopted, and therefore whilst some weight can be applied to its policies, those policies contained within the current UDP should be given more weight. Draft Policy 30 relates to car parking, and indicates that residential developments located in a PTAL 2-6a location should provide between 1-1.5 spaces for 3+ bedroom properties. Developments in a PTAL 0-2 location should provide a minimum of 1.5 spaces for 3+ bedroom properties.
- 3.42 A minimum of 1.5 spaces per dwelling would relate to 7.5 spaces for five dwellings. With the proposals including two spaces per dwelling, it is fully in accordance with the draft standards. This report has demonstrated that the proposed parking arrangement adjacent to Elstree Hill will not affect highway safety or the free flow of traffic and is therefore an acceptable layout. Even if discounting parking alongside Elstree Hill, the proposals would fall short by 2.5 parking spaces.
- 3.43 As noted above, on-street parking already takes place on all roads surrounding the site including Elstree Hill and Coniston Road. The highway network is shown within this report to be of a sufficient width to accommodate the free flow of traffic and on-street parking and therefore there is no evidence to show that on-street parking is a highway safety issue. This is particularly relevant when considering the surrounding roads attract low volumes of traffic and low vehicle speeds.
- 3.44 Draft Policy 32 relates to road safety in the same way as UDP policy T18. As noted above, the proposals are not detrimental to highway safety as they include sufficient parking on-site. The parking layout adjacent to Elstree Hill does not impact on the free flow of traffic and is therefore not contrary to Policy 32.
- 3.45 It is acknowledged that the site is located within a PTAL 1b location, although its proximity to a PTAL 2 location cannot be ignored. A site on the northern side of the Elstree Hill/Coniston Road junction would fall within a PTAL 2 location.
- 3.46 Bus services can be accessed approximately 200 metres from the application site on the A21 Bromley Hill, providing direct routes into central Bromley alongside Biggin Hill and Orpington. Routes 208 and 320 each operate with services every 10-15 minutes. Northbound services connect with Catford and Lewisham, meaning that it is entirely possible for future residents to use bus services to access local amenities as well as for commuting purposes. Bus services to Bromley provide connections with rail services via Bromley North and Bromley South stations. There is also a convenience store attached to a petrol station on the A21 Bromley Hill circa 320 metres from the site, providing access to a selection of everyday needs within close walk distance.
- 3.47 The PTAL 1b should therefore be treated with caution, as it indicates that the site is notably less accessible to public transport than is shown above. It also ignores access to other everyday amenities.
- 3.48 Were the site to be in a PTAL location then the draft Local Plan standards would allow for a minimum of one space per unit and maximum of 1.5 spaces per unit. The proposals would therefore be against that of the Local Plan by proposing two spaces. This reinforces why a pragmatic approach is needed in respect of parking, with consideration given to sites on a case by case basis as opposed to applying a blanket approach to parking provision.

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*London Plan Compliance*

- 3.49 The current London Plan allows for up to a maximum of 1.5 spaces per dwelling for three bed units and up to two spaces for 4-bed units. As with the current LBB UDP, the standards are maximum, and therefore a provision below this level would be acceptable.
- 3.50 Whilst the London Plan does also suggest that outer London areas with low PTAL boroughs should **consider higher levels of provision to address 'overspill' parking pressures**, the London Plan does not promote minimum standards.
- 3.51 The proposals accord with the maximum standards by providing two spaces per dwelling. Even if parking on Elstree Hill is ignored, a provision of one space per unit would still accord with the maximum standards.
- 3.52 Policy 6.12 of the London Plan relates to network capacity. It has already been demonstrated within the application submission that the proposals will not result in a material increase in traffic flow on the surrounding network. Four dwellings would generate three vehicle during the morning and evening peak hours, with the potential for an additional 21 vehicle movements over a daily profile. This is considered immaterial. This section of the report has already demonstrated that the proposals will not impact on parking supply on-street and therefore there is no evidence to show that the proposals are at odds with Policy 6.12 of the London Plan.

## 4.0 Summary

- 4.1 Motion has been instructed by Mr Richard Dicker to prepare this Addendum Highways Report to address a highways related refusal **associated with a planning application at a site known as 'Trees', on Coniston Road, Bromley, BR1 4JB.**
- 4.2 This report addresses each comment raised by LBB highways, noting the following:
- ▶ The proposals accord with all relevant policy guidance by providing two parking spaces per unit. Even when excluding the proposed parking on Elstree Hill one space per unit would accord with both the current LBB UDP and the London Plan;
  - ▶ Whilst one space per unit would not accord with the draft LB Local Plan, the document is not yet adopted. Indeed, TfL has objected to the Local Plan on the basis it seeks to introduce minimum parking standards;
  - ▶ Census data for the surrounding area indicates that car ownership is marginally above one space per unit;
  - ▶ The sites PTAL 1b is misleading as it ignores the fact that it is on the border of a PTAL 2 location and benefits from frequent bus services within 250 metres to a variety of local destinations. This includes Bromley, Catford, and Lewisham. There is also a convenience store within 320 metres of the site;
  - ▶ Parking currently occurs along Elstree Hill without affecting the free flow of traffic;
  - ▶ There is no evidence of any recorded accidents occurring on the surrounding road network within the last five year period;
  - ▶ Adjacent properties have extended into the effective carriageway without concern or again affecting free flow of traffic;
  - ▶ **The existing 'highway'** is circa 8-10 metres in width (excluding existing grass verges and footway) providing a more than sufficient carriageway width;
  - ▶ Parking can be accommodated along the edge of the application site on Elstree Hill alongside the provision of two metre footways on both sides of Elstree Hill, and a six metre carriageway. This accords with MfS guidance on carriageway widths, whilst also providing more than sufficient footway width;
  - ▶ The effective width of Elstree Hill would be comparable with that of surrounding roads including Coniston Road where informal parking occurs at present; and
  - ▶ Providing parking on Elstree Hill within the red line of the land ownership would not therefore affect the free flow of traffic along Elstree Hill, as is suggested by LBB.
- 4.3 In view of the above, the proposal is considered to be acceptable in transport terms and meets with current local and national policy criteria. The assessment work undertaken has shown that there would not be any demonstrable harm arising from the proposed scheme and it will not cause any severe impacts. Therefore, there are no traffic and transport related reasons why the development should not be granted approval.