

**LONDON BOROUGH OF BROMLEY**  
**TOWN PLANNING**  
**RENEWAL AND RECREATION DEPARTMENT**

**DELEGATED DECISION on**

**17/04981/FULL1**      **8 Highland Road**  
**Jonathan Alldis**      **Bromley**  
                                 **BR1 4AD**

**Description of Development**

Proposed development on land of existing garages to the rear of 10 Highland Road and part of rear garden of 8 Highland Road, including demolition of garages and erection of 5 terrace houses, with associated parking and refuse store.

**Proposal**

Planning permission is sought for the erection of 5 terrace houses on land to the rear of No.8 and 10 Highland Road. The site forms garden land associated to No.8, and land occupying nine garages to the rear of No.10. The proposal also includes 6 car parking spaces one of which will be for disabled users, communal garden and refuse storage situated along the access road to the site. The garden land at No.8 will be subdivided in order to accommodate the proposed dwellings, communal space and car parking spaces. The site will be accessed through a private partially unmade lane located between properties 8 and 10 Highland Road. The site covers an area of approximately 950m<sup>2</sup>.

The design and layout of the proposed dwellings will be 'L' shaped with a front courtyard and rear garden, with flat green roofs to the front sloping towards the rear. The dwellings will have a depth of approximately 9m, a width of 6.9m and a height of 6.45m. The units will have a timber frame structure, timber boarding on the facades at first floor level and brick walls at ground floor. The supporting Design and Access statement states that each house will have an internal floorspace area of 84m<sup>2</sup>, with a courtyard and rear garden for private amenity space.

The application was supported by the following documents:

- o Design and Access Statement
- o Transport statement
- o Design Access Statement
- o Arboriculture Impact Assessment

**Location and Key Constraints**

The application site is situated on the north-west side of Highland Road, Bromley, to the rear of 8 and 10 Highland Road. As outlined above, the site consists of 9 garages and garden land. The garages are currently reached via a partially made access road varying in widths of 3.2m to 3.8m. The area consists of period and post-war infill development many of which comprise of flatted residential development, with No.8 Highland Road converted into flats in 2006 (06/03686/FULL1), while No.10 is currently

in use as a Doctors Surgery. The site is designated within an area of Open Space Deficiency.

### Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

### Objections

- o The proposal constitutes an undesirable backland development, out of character with the area and which, if permitted would be likely to set a pattern for similar undesirable proposals in the vicinity, resulting in a retrograde lowering of the spatial standards to which the area is presently developed, thereby contrary to Policies BE1 and H7 of the UDP
- o The proposal would constitute an over-development of the site by reason of the amount of site coverage by buildings and hard surfaces, resulting in a loss of garden land and a significant reduction in the spatial standards of the site, detrimental to the visual amenities and character of the area, thereby contrary to Policies BE1 and H7 of the UDP
- o The proposed dwellings to the rear of the site would be harmful to the amenities of adjacent dwelling in Grasmere Road
- o The proposed access road would result in an unacceptable level of general disturbance
- o The proximity of the dwellings to the boundary fence will cause lack of privacy to the gardens of 16-22 Grasmere Road
- o The survey of land at the rear of 16-22 Grasmere Road is incorrect which will have an impact on privacy
- o Strongly suggest that an accurate survey is performed and impact assessed
- o There would be a direct view from the upstairs rear windows of the proposed development to the bedrooms of our house, seriously compromising privacy
- o A 108 signed petition has been received in objection to the development
- o The conservation of nature will be destroyed
- o The traffic on highland road is already to its maximum potential
- o The average family has at least 2 cars if not 3
- o The proposal as it stands has no room as the land is too small
- o The existing pine tree and shrubs in the rear section of the access road result in the access not being straight, and this does as a traffic calming factor
- o The development is also proposed to build over part of the rear garden of No 8 Highland Road which will result in a reduction of garden land and reduce the habitat for urban wildlife. This would constitute a backland development contrary to Policies BE1 and H7 of the Unitary Development Plan
- o The two-storey development is proposed to be built on site right up to the existing side boundaries and will not provide the minimum requirement of 1 metre side space on both flank walls contrary to Policy H9 of the Unitary Development Plan.
- o After looking at our plans and measuring up at the site we have realised that this encroaches on a piece of land demised to us in our leasehold. This is to the rear of our shed. The dimensions are as follows: 3.96m wide x 3.3m long

### Supporting comments

- o The houses are set back further from the northern boundary than the existing garages. So the sun/daylighting obstruction will be minimal and within acceptable limits

- o To the rear there are only windows and doors on the ground floor and no windows on the upper floor north facing elevation
- o The access road and parking spaces will be paved with granite setts defining a semi-private space and encouraging low speed
- o Only around 30% of the land at the rear of No.8 Highland Road is proposed to be built on; the remaining will be kept as a landscaped area and communal garden for the residents
- o The proposed development is small scale and low density
- o All hard landscaping including access roads and parking spaces will be paved with permeable paving allowing water to be absorbed by the ground
- o The site will be within 18 metres from Highland Road, which is the recommended maximum distance for bin location from the road

#### Comments from Consultees

Environmental Health Pollution Officer: No objection- suggested informatives:

Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution

Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure

compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

Drainage Engineer: No objection- conditions suggested

Highways: The site is relatively close to both Shortlands and Bromley North rail stations together with several bus routes and has a PTAL rating of 1b. This is generally considered to be poor in terms of accessibility in the context of London.

There is a single access point to the site at present which is partially made, the front section from Highlands Road for around 13m, this section is between 3.2m and 3.5m wide, and partially unmade, the remainder of the access which varies in width from 3.2m to 3.8m.

The vehicle access onto Highland Road will be via the existing dropped kerb access. The visibility splay at a junction ensures there is adequate inter-visibility between vehicles on the major and minor arms.

The developer is providing 6 x parking spaces. One car park space can be used by the visitor. Also there is one designated disabled parking bay specifically marked out to the mobility standard of 3.6m x 5m. The parking bays and turning area appears to be tight. Required measurement of a parking bay is 2.4m x 5m with a clear manoeuvring space of 6m. A swept path analysis using AutoTrack Road of vehicles overlaid on the proposed site layout should be provided to demonstrate that the vehicles can manoeuvre safely and efficiently within the site layout and in and out of site. The developer should have provided a passing bay/place next to the bins. Insufficient

information has been provided to determine whether the proposal would be acceptable from a Highways perspective.

Trees: The application has been supported with an Arboricultural Impact Assessment (AIA) that outlines the tree constraints associated with the proposed development to the rear of Nos. 8-10 Highland Road. Tree Preservation Order (TPO) BB 9, 1960 covers the site address and a large proportion of the surrounding roads. This is one of Bromley's earliest TPOs and protects trees that existed at the time the order was made. The younger trees appearing on the tree survey schedule would therefore not be subject to the protection. Four of the surveyed trees are third party owned and works would therefore be subject to consent from the neighbouring land owners.

The AIA has included three trees to be removed and pruning to enable the development's implementation. Some of the trees included in the works schedule would benefit from management, regardless of the proposal seen in this application.

The precautionary methods and measures referred to within the AIA are adequate to contain the effects of the development. It is the pruning pressure and lack of amenity space that leads me to oppose the scheme. The area to the rear of No. 10 would clearly benefit from re-development, however, the area to the rear of No. 8 is currently a communal garden space and would be turned into hard standing for car parking and access. This would put pressure on retained trees here. The gardens would be expected to incorporate a level of hard standing and would therefore increase the need to manage overhanging trees, or influence complete removal.

The design of the scheme is not sympathetic of existing tree constraints and should be reviewed. I would recommend the application be refused due to conflict with Policy NE7 of the Bromley Unitary development Plan (adopted July 2006).

## Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- o The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination In Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

#### London Plan Policies

Policy 3.3 Increasing Housing Supply.  
Policy 3.4 Optimising Housing Potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable energy  
Policy 5.10 Urban greening  
Policy 5.13 Sustainable drainage  
Policy 5.17 Waste capacity  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 8.2 Planning obligations  
Policy 8.3 Community infrastructure levy

#### Housing: Supplementary Planning Guidance

#### Unitary Development Plan

BE1 Design of New Development  
H2 Housing Supply  
H7 Housing Density and Design  
H9 Side Space  
NE7 Development and Trees  
T3 Parking  
T18 Road Safety

#### Emerging Local Plan

Draft Policy 1 Housing Supply  
Draft Policy 4 Housing Design  
Draft Policy 3 Backland Development  
Draft Policy 8 Side Space  
Draft Policy 37 General Design of Development  
Draft Policy 30 Parking  
Draft Policy 32 Road Safety  
Draft Policy Development and Trees  
Draft Policy 116 Sustainable Urban Drainage Systems (SUDS)  
Draft Policy 123 Sustainable Design and Construction

#### Supplementary Planning Guidance

SPG1 General Design Guidance  
SPG2 Residential Design Guidance

## Planning History

No relevant planning history

## Considerations

The main issues to be considered in respect of this application are:

- o Principle
- o Design
- o Standard of residential accommodation
- o Highways
- o Neighbouring amenity
- o Trees

### Principle

Housing is a priority use for all London boroughs and the Development Plan welcomes the provision of small scale infill development in the areas of stability and managed change provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy BE1 of the UDP outlines that the design of new development proposal will be expected to be of a high standard and layout, which should seek to be imaginative and attractive to look at, complement the scale, form, layout and materials of adjacent buildings and areas and preserve the character of the street scene.

London Plan Policy 3.4 Optimising housing potential of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.

Furthermore, Policy 3.5 of the London Plan seeks to ensure that housing developments should be of the highest quality internally, externally and in relation to their context and their wider environment. In addition, development proposal should seek to protect and enhance London's residential environment and attractiveness as a place to live.

Policy H7 of the UDP sets out criteria to assess whether new housing development is appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and

future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

Paragraph 4.40 states backland development, involving development of land surrounded by existing properties, often using back gardens and creating a new access, will generally be resisted. Private gardens can be of great importance in providing habitats for wildlife, particularly in urban areas. Such development may be acceptable provided it is small scale and sensitive to the surrounding residential area. Additionally traffic should not cause an unacceptable level of disturbance to neighbouring properties, and high standards of separation and landscaping should be provided.

Draft Policy 3 Backland and Garden states that new residential development will only be considered acceptable on backland or garden land if all of the following criteria are met:

- There is no unacceptable impact on the character, appearance and context of an area in relation to the scale, design and density of the proposed development,
- There is no unacceptable loss of landscaping, natural habitats, or play space or amenity space,
- There is no unacceptable impact on the residential amenity of future of existing occupiers through loss of privacy, sunlight, daylight and disturbance from additional traffic,
- A high standards of separation and landscaping is provided

It is considered that the re-development of the land occupied by garages to the rear of No.10 is acceptable, as stated above the NPPF encourages the effective use of land that has been previously developed (brownfield land). However, the NPPF excludes garden land from this definition. It is considered that the substantial loss of garden land is unacceptable. The proposal would see the loss of over 80% of the rear amenity space of No.8. No justification has been provided for such an extensive loss of land, which is currently used as amenity space for the occupiers of No.8. Consequently the proposal constitutes an undesirable backland development, which would be out of character with the area. On the basis, it is considered that the principle of development is not acceptable and the introduction of housing on garden land would be an overdevelopment of the site and out of character with the locality, as well as being detrimental to the visual amenities of neighbouring properties, contrary to the NPPF, Policy H7 of the UDP and Draft Policy 3 of Bromley's Draft Local Plan.

## Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principle in Policy 4B.1 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). The site is considered to be in a 'suburban' setting and has a PTAL rating of 1B giving an indicative density range of 35-55 units per hectare. The London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces. UDP policy H7 also includes a density/location matrix which supports a density of 30-50 u/ha whilst the proposed density exceeds UDP guidelines the London Plan supersedes the density matrix outlined in the UPD.

The density of this proposal equates to 52.63 u/ha, while this is set below the London Plan guidance, this is towards the upper limits. Development plan policies related to density are intended to optimise not maximise development and a numerical calculation of density is only one consideration. It is also necessary to consider the quality of the development in relation to the surrounding context. In addition, Policy H7 paragraph 4.40 also states that lower residential densities will usually be required for backland development.

## Design, Layout and Scale

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Furthermore, Policy 7.6 of the London Plan states that development should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and should comprise details and materials that complement, not necessarily replicate, the local architectural character.

Policy H9 of the UDP and Draft Policy 8 of Bromley's emerging Local Plan requires planning proposals for two or more storeys in height, to retain a minimum 1 metre space from the side boundary for the full height and depth of the proposal. Further to this, where higher standards of separation already exist within residential areas, proposal will be expected to provide a more generous side space.

The Council considers that the retention of space around residential buildings essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and any unrelated terracing from occurring. Furthermore, Policy H9 seeks to protect the high spatial standards and level of visual amenity which characterises many of the Borough's residential areas.

The proposal would fail to incorporate any side space from both flank boundaries of the development. The proposed scale and layout of the development has been designed to maximise the site, this would be at odds with the scale and layout of the surrounding



area. The site in its current form is occupied by the garden of No.8 and is verdant and peaceful. By contrast the development of five terrace houses by reason of their site coverage would appear cramped, incongruous and unsightly. Consequently the proposal would be perceived by neighbours and in views down the track as a cramped and intensive form of development.

The proposal would therefore constitute an over-development of the site by reason of the amount of site coverage by buildings and hard surfaces and lack of adequate separation from the adjoining boundaries, resulting in a loss of garden land and a significant reduction in the spatial standards of the site, detrimental to the visual amenities and character of the area, thereby contrary to Policy 7.4 and 7.6 of the London Plan, Policy BE1, H7 and H9 of the UDP and the NPPF. The proposed building development does not have proportion, composition and scale that enhances, activates and appropriately defines the surrounding area. As such, the proposal would not have regard to the form, function, and structure of the surrounding area and would not provide a positive relationship between the proposed and existing suburban context.

#### Standard of residential accommodation

Policy H7 of the UDP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

Policy 3.5 of the London Plan and the Housing SPG (2016) Standard 24 states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Technical housing standards - nationally described housing standard (2015).

The proposed dwellings would have an internal floorspace of approximately 84sqm, more than the required for a 2b3P dwelling (70 sqm) property. As a result, the internal floorspace of the proposed dwelling would comply with the Government's Technical Housing Standards and the London Plan's housing standards.

In addition, the Mayor's Housing Supplementary Planning Guidance (SPG) (March 2016) provides guidance on the implementation of housing policies in the 2015 London Plan and the 2016 Minor Alterations to the Plan (MALP), replacing the 2012 Housing SPG. The SPG provides guidance on Private Open Space. The proposal would provide private amenity space to the rear of each dwelling of approximately 20sqm, compliant with the Mayor's Housing SPG (2016).

#### Neighbouring amenity

Policy BE1 of the UDP and Draft Local Plan Policy 37 seek to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance. This is supported by London Plan Policy 7.6. In addition, Draft Policy 3 (Backland) states that backland development should not lead to an unacceptable impact on the residential amenity of future of existing occupiers through loss of privacy, sunlight, daylight and disturbance.

A number of objections have been received by neighbouring properties raising concern that the development will lead to a significant loss of amenity, in particular to the properties along Grasmere Road, Bromley. The applicant states that the proposed height of the houses will only be 5.1m, which is about 2.8m higher than the existing garages. Therefore, the daylighting/sunlighting obstruction will be minimal. Furthermore, the applicant explains that to the rear of the properties there are no windows in the upper floors, only roof lights, thus avoiding any overlooking to properties on Grasmere Road.

It is considered that the proposal would not unduly impact the neighbouring properties directly to the rear of the site 16-22 Grasmere Road. The proposed properties would be set back from the boundary line by 3.6m-5.7m. Moreover, the height of the properties is considered to respect the amenities of these properties, thus the proposal is not anticipated to cause a loss of sun/daylighting or visual amenity to the occupiers of these properties. In addition, no undue loss of overlooking or loss of privacy will occur as there are no rear windows on the upper floors of the proposed dwellings.

Whilst these properties are not expected to be unduly impacted by the development, the proposal would lead to a significant loss of privacy, by way of overlooking and visual outlook to 24-32 and 12-14 Grasmere Road. It was noted on the site visit the changing topography of the land to the rear of the site. The land falls away steeply between the shared boundary with No.10 where the existing garages are and the garden land of No.8 and continues thereafter towards Grasmere Road. This means the rear amenity space of properties 24-32 Grasmere Road is highly visible due to the elevated height of the application site. Therefore, the proposed dwellings would have direct views into to the rear amenity space of properties 24-32 Grasmere; this would be further exacerbated by the height of the development site. In addition, the proposed dwellings flanking the boundary of 12-14 Grasmere would be significantly affected due to the site layout and siting of the proposed properties, which would also directly overlook the rear amenity space of these properties. As a result, the proposal would cause a significant loss of privacy by way of overlooking and visual outlook to the above mentioned properties, thereby contrary to Policies BE1 of the UDP and Draft Policies 3 and 37 and London Plan Policy 7.6.

## Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the

London Plan, UDP and emerging draft Local Plan should be used as a basis for assessment.

Policy T3 of the UDP and Draft Policy 30 (Parking) sets out the Council's standards for residential parking for new development. Moreover, Policy 6.13 (Parking) of the London Plan also sets standards for new residential development. The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking.

The application site has a PTAL rating of 1b where car ownership will be expected for new residential development. The proposed development will provide six car parking spaces, one of which will be for disabled users. One car parking space for each unit and one disabled space is considered to be broadly compliant with UDP, Draft Local Plan and London Plan.

Policy T18 (road safety) and Draft Policy 32 states, when determining planning applications, the Council will consider as appropriate the potential impact on the road safety and will seek to ensure road safety is not adversely affected.

There is a single access point to the site at present which is partially made, the front section from Highlands Road for around 13m, this section is between 3.2m and 3.5m wide, and partially unmade, the remainder of the access varies in width from 3.2m to 3.8m. The vehicle access onto Highland Road will be via the existing dropped kerb access.

Whilst the level of car spaces is considered appropriate turning space for vehicles is a concern. The required measurement of a parking bay is 2.4m x 5m with a clear manoeuvring space of 6m. Insufficient information has been provided in the form of a swept path analysis using AutoTrack to demonstrate that the vehicles can manoeuvre safely and efficiently within the site layout and in and out of site. The Highways department also note that the applicant has failed to provide a passing bay/place next to the bins.

On this basis, the proposal would be detrimental to road safety, in the absence of information to the contrary, which demonstrates that vehicles can manoeuvre safely and efficiently within the site layout and in and out of the site, thus the proposal would be in conflict with policy T18 of the UDP and Draft Policy 32 of Bromley's emerging Local Plan.

## Trees

Policy NE7 and Draft Policy 73 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. When works are proposed to be carried out to protected trees and woodlands the Council will seek appropriate management to ensure that they remain in a healthy condition and visually attractive.

The application has been supported with an Arboricultural Impact Assessment (AIA) that outlines the tree constraints associated with the proposed development to the rear of Nos. 8-10 Highland Road. Tree Preservation Order (TPO) BB 9, 1960 covers the site address and a large proportion of the surrounding roads. This is one of Bromley's earliest TPOs and protects trees that existed at the time the order was made. The

younger trees appearing on the tree survey schedule would therefore not be subject to the protection.

The AIA has included three trees to be removed and pruning to enable the development's implementation. The precautionary methods and measures referred to within the AIA are adequate to contain the effects of the development. It is the pruning pressure and lack of amenity space that is concerning. The area to the rear of No. 10 would clearly benefit from re-development, however, the area to the rear of No. 8 is currently a communal garden space and would be turned into hard standing for car parking and access. This would put pressure on retained trees here. The gardens would be expected to incorporate a level of hard standing and would therefore increase the need to manage overhanging trees, or influence complete removal.

The design of the scheme is not sympathetic of existing tree constraints and should be reviewed. Therefore, it is considered that the application is contrary to Policy NE7 of the Bromley Unitary development Plan.

### Conclusion

Having had regard to the above the proposed development is considered to be unacceptable, the proposal would constitute an undesirable form of backland development, which would result in a substantial loss of garden land to the rear of No.8 Highland Road. The proposal would be detrimental to the character and scale with adjoining development and constitute a cramped overdevelopment of the site, lowering the spatial standards to which the area is at present developed. The proposal would by reason of its scale, siting and layout also lead to a significant loss of overlooking, privacy, prospect and visual amenity to neighbouring residents.

In addition, in the absence of information to demonstrate that vehicles can manoeuvre safely and efficiently within the site layout and in and out of the site, it is the Council's view that the proposal would be prejudicial to the free flow of traffic conditions and general safety in the highway. Finally, the development would prejudice the retention and well-being of a number of trees which are protected by a Tree Preservation Order.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

### Consultations

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### Planning Considerations

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### Conclusions

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### Decision

Application Refused

**For conditions or grounds of refusal please refer to the Decision Notice**