

WARD: Southville

SITE ADDRESS: 46 & 47 Coronation Road & Castlemead House St Johns Road, Southville  
Bristol BS3 1AR

APPLICATION NO: 21/02976/F Full Planning

DETERMINATION DEADLINE: 3 May 2022

**Demolition of existing buildings, removal of surface parking and erection of a building comprising basement plus up to 5 storeys to accommodate 44no. residential units and associated bin and bike store, as well as the erection of 2no. 2 storey dwellinghouses. Associated hard and soft landscaping. Vehicular layby on St Johns Road and vehicular access from Coronation Road. (Major)**

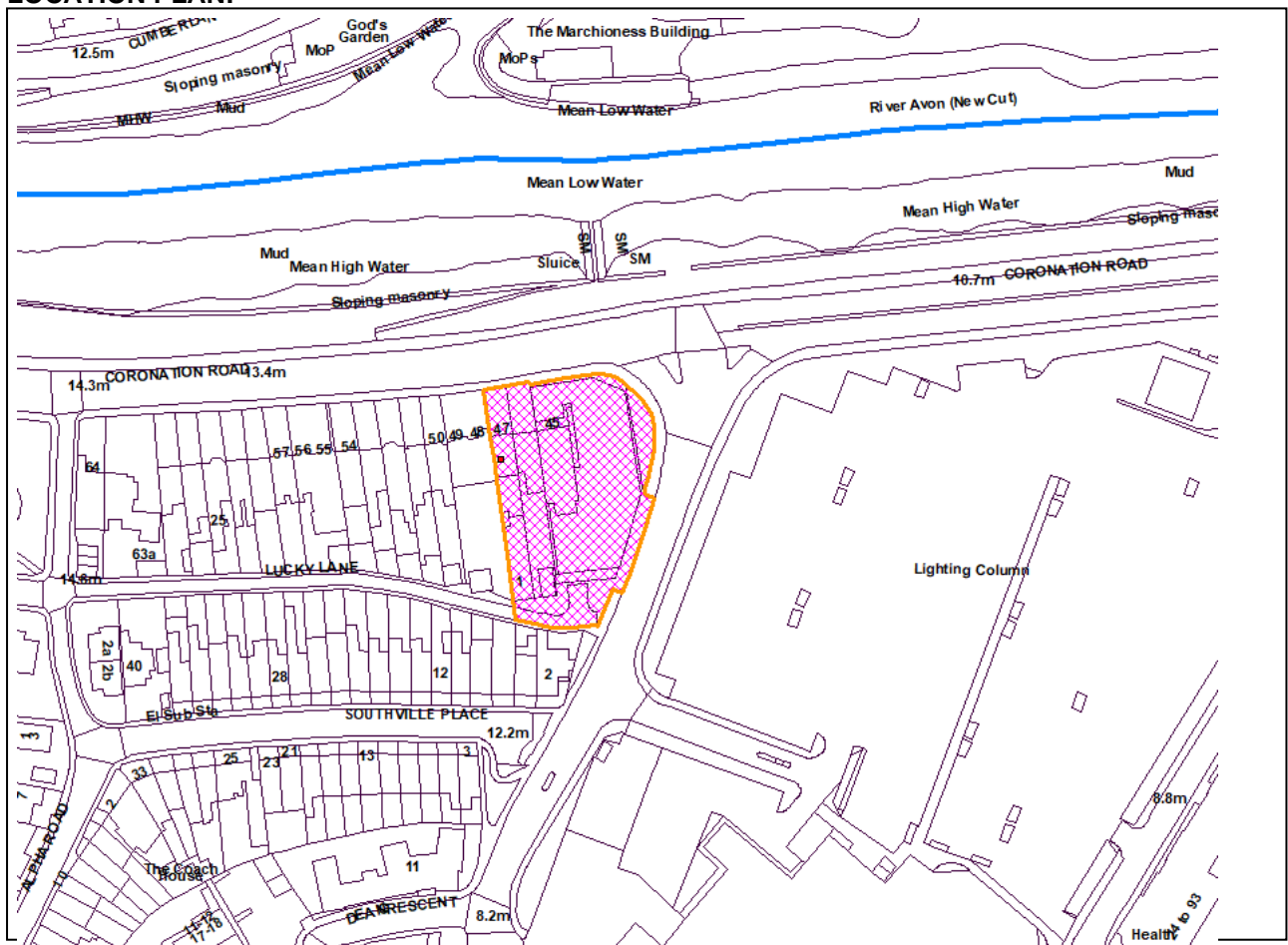
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: Pegasus Group  
10 Albermarle Street  
London  
W1S 4HH

APPLICANT: Land And Buildings Limited  
C/O Agent

*The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.*

**LOCATION PLAN:**



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The application site is a flat roofed, four storey, modern office building, with surrounding car parking area, sited on the junction of Coronation Road and St. Johns Road, plus two adjoining, two storey terraced houses facing Coronation Road, which are 1950's infill replacement buildings, there is a large storage building to the rear of 47. The development of all buildings concerned came about following the destruction of the older buildings on the site during the 1941 air raids

The site backs onto the turning head of Lucky Lane, which is a narrow rear access lane that serves the rear of the properties on Coronation Road and Southville Place.

Vehicular access to the office block is off St. Johns Lane, there is a mature hedge around the outside boundary of the site and a number of mature trees to the front and semi-mature trees along the rear boundary.

A culvert containing the Malago River runs underneath the car park on the site. The trees on the site are subject to a Tree Preservation Order.

To the east of the site is the large car park serving Asda supermarket.

To the west of the site on Coronation Road is a terrace of properties, the immediate neighbour, no.49, is a double width, two storey house of similar age to nos. 46 and 47, this is in use as a dental surgery and has a rear car parking area, there are a number of trees along the boundary to the site. Beyond this is a mix of three storey Victorian properties typical of Coronation Road.

No. 2 Southville Place, the other side of Lucky Lane to the south, is an end of terrace, two storey Victorian house, it faces Southville Place with gates to the rear garden onto Lucky Lane.

The site falls within the Bedminster Conservation Area, to the west on Coronation Road is Church of St Paul, of which the tower is Grade II listed and the remainder locally listed. The site falls within the Air Quality Management Area, in Heat Connection Priority Zone 1 and in Bedminster East Residential Parking Zone.

Planning HistoryNos.44 and 45 Coronation Road

Nos. 44 and 45 Coronation Road were destroyed in the second world war. Planning consent was granted for the erection of a block of three storey flats and six private garages on the site of no.45 and part of the site of no.44 in 1962.

The remainder of the site of no.44 was affected by a road widening reservation and acquired by Avon County Council.

In 1966 consent was granted to convert the flats to a hotel and in 1973 conversion to offices was permitted for a temporary period of ten years. Permanent consent for the offices was granted in 1979-ref.application no. 3078/79.

Subsequently part of the site of no. 44 reserved for road widening purposes was incorporated into St. Johns Road in connection with the Asda development. It was initially proposed to landscape the remainder of this land in connection with that development. However consent was granted to the

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owners of the offices to lay this area out as car parking with landscaping works in 1987. They subsequently purchased the area.

There is a protracted history to proposals to redevelop nos.44/45 to include pre-application discussions starting in 2003 and draft proposals in 2005 for a residential development of contemporary design when it was commented that the loss of employment floor space could be grounds for objection.

In autumn 2005, application no.05/03245/P/S was submitted for the development of a part five, part four and part three storey building containing a mix of residential,(18 flats),and office use.

As well as comments on design etc, the drainage team were extremely concerned that there was insufficient information regarding the true relative position of the culvert to the proposed development, the impact of the development on the culvert being of key concern from a flood prevention view point.

That application was withdrawn and a resubmission received for a similar building; ref.06/00595/F.

A survey of the culvert, the video of the CCTV survey of the culvert and a Flood Risk Assessment were included with that submission.

That application was approved subject to conditions.

Subsequently a further application was submitted, ref. 06/04401/F, which changed the mass of the building slightly and also increased the height in part allowing an additional two flats to be achieved.

That too was approved subject to conditions.

Neither consent was implemented but in 2010, in accordance with planning guidance at that time, ref: Guidance on the Greater flexibility for planning permissions- dated 23.11.09- application no. 10/02970/R was submitted to renew this consent and duly granted expiring 2.12.15.

In 2017, prior approval for the change of use from office floor space to residential was given- ef.17/02540/F. This has now expired.

**47 Coronation Road**

15/00432/P - Outline planning application - 2 x residential dwellings comprising 1 x dwelling house and 2 x self-contained flats with landscaping reserved for future consideration – Refused 24.12.2015:

1. The development proposed is likely to result in parking and manoeuvres on Lucky Lane that will be detrimental to highway safety and residential amenity.
2. The proposal constitutes an overdevelopment of the site and would result in an overbearing impact and loss of privacy to future residential occupiers and existing adjoining residential occupiers.
3. The proposal by virtue of its restricted internal floorspace and lack of adequate garden area constitutes a cramped form of development that will provide a poor living environment for future residential occupiers.
4. The proposed development, by virtue of its poor design and cramped appearance, fails to conserve or enhance the character and appearance of the Bedminster Conservation Area heritage asset.

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Current application site- 44-47Coronation Road

There was pre-application enquiry in 2018 for a 4/7 storey building containing 75 flats. It was advised at the time that this would not be supported due to unjustified loss of employment space, overdevelopment, impact on heritage, poor design and failure to comply with BCS18.

Following this application no. 19/02585/F was submitted for the site for;

‘Demolition of existing buildings, removal of surface parking and erection of a new 3-6 storey building to accommodate 46 no. 1, 2 and 3 bedroom flats, with associated public realm improvements to Coronation Road and St John's Road. Vehicular access from St Johns Road’.

The proposal was for a six storey block roughly on the site of the offices dropping to four towards the rear with a three storey element at the rear the full width of the site.

This application was refused for the following reasons;

1. Justification of the Loss of the Employment Use of the Site

Insufficient justification has been provided to demonstrate that the site should not be retained as an employment use.

2. Failure to Support the Creation of Mixed, Balanced and Inclusive Communities

The proposal's mix of accommodation types and size, together with the loss of two larger sized houses, fails to help to redress the existing housing imbalance in the area, and does not contribute to the diversity of housing in the local area. Units 00-05 and 00-06 fail the relevant space standards, and an unacceptable proportion of the homes proposed form 1 bedroom 1person units, that are not considered be sufficiently flexible and adaptable for future residents.

3. Quality of Urban Design: Harmful Impact on Designated Heritage Assets and the Character of the Area

The proposed development, by nature of siting, scale, height, mass, form, layout, appearance and design quality, would fail to preserve or enhance those elements which contribute to both the special character or appearance of the Bedminster Conservation, and the special architectural and historic interest for the Grade II Listed tower of the Church of St Paul. The proposal's impact is identified as less than substantial harm to the settings of those designated heritage assets, which fails to be outweighed by the development's public benefits.

The application is therefore considered to constitute an unacceptable quality of urban design,

4. Quality of Urban Design: Harmful Impact on the Residential Amenity of Neighbours and Unacceptable Quality of Accommodation

The proposed development, by nature of siting, scale, mass, layout and design quality, would both: harmfully impact the residential amenity of those properties immediately to the rear of the site in Southville Place, and fail to provide an acceptable standard of residential amenity for future occupiers of the development. The application is therefore considered to constitute an unacceptable quality of urban design, harmful to the residential amenity of both neighbours and future occupiers of the development.

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5. Design and Layout - Highway and Transport Safety Concerns

The proposed development is considered to be unsafe due to its internal layout giving rise to conflict between pedestrians and parking cars; boundary walls encroaching into the buffer space in the turning area in Lucky Lane; and visibility concerns associated with the proposed layby and access.

6. Inadequate Cycle Storage

The proposed development's cycle storage is considered to be inadequate and would fail to maximise travel opportunities for the use of cycling.

7. Inadequate Refuse Storage

The proposed development's refuse storage is too far from the highway to ensure satisfactory access for collection vehicles and operatives. It is likely therefore that refuse containers would be left on the highway.

8. Inadequate Public Transport Improvements

The application fails to be supported by a section 106 agreement pursuant to the Town and Country Planning Act 1990 (as amended) to commit the development to provide proportionate provision for public transport improvements required to mitigate the development's effects.

9. Insufficient Information to Demonstrate Appropriate Protection and Mitigation for Existing Green Infrastructure Impacted by the Development

Insufficient information has been submitted to demonstrate that both, existing trees proposed to be retained will be adequately protected from the development, and that appropriate mitigation will be provided for the existing trees proposed to be felled.

10. District Heating

The application fails to be supported by a section 106 agreement pursuant to the Town and Country Planning Act 1990 (as amended) to commit the development to connection (or future connection) to a heat network.

11. Affordable Housing

The application fails to be supported by a section 106 agreement pursuant to the Town and Country Planning Act 1990 (as amended) to commit the development to a policy compliant level of affordable housing, and the units proposed to be affordable homes, are unacceptably weighted toward 1 bedroom-sized units.

Current Proposal

The current proposal has been informed by discussions with the city design team following the refusal.

A 'C' shaped development is proposed that maintains the existing building line to the Coronation Road frontage, extends further out towards St Johns Lane than existing, where a layby is shown as being created, then turns to face Lucky Lane the full width of the plot leaving a central private courtyard.

The proposal is made up of a mix of one, two and three bed apartments units plus two duplex units.

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The proposal varies in height, it is four storeys along the Coronation Road frontage rising to five storeys, which it maintains along most of the St Johns Lane frontage then dropping to three and then two as faces Lucky Lane.

A basement is included which contains a cycle store, media room and plant room, access to which is from the St John's Lane frontage.

The maximum height is approximately 16.5m.

Two parking spaces are proposed to the front of the development where it replaces the two houses.

In appearance, the Coronation Road frontage has a mansard roof and is visually broken up into five 'sections'. There are two on the site of the existing houses both have doors and there is a Juliet balcony to the mansard on the fourth floor. The remaining three sections have one door at the western end, bay windows at ground and first floor, which support balconies to the third floor, a balcony is also shown to the mansard. Materials are given as a mix of zinc cladding to the upper floors, render and facing brick to the remainder, with precast stone used for pilasters and window surrounds.

The St Johns Lane frontage is simpler in appearance, the top floor of the central five storey element is zinc clad, and angled in at the top, the ground floor is clad in pennant stone otherwise it is brick faced and containing rows of full height windows with glazed Juliet balconies and picked out in brick detail. There is a central glazed entrance is at ground floor.

Also seen from this frontage is the side elevation of the four storey element facing Coronation Road and the side elevation of the three storey element towards Lucky Lane, which is flat roofed and contains the door to the basement.

The two storey element closest to Lucky Lane has a double gable with a central valley. The front elevation appears as two units with large glazed areas at ground floor.

The elevation facing towards the gardens on Coronation Road is dominated by the five storey element and essentially internal to the scheme, it is comparatively plain, brick faced with rows of full height windows with glazed Juliet balconies, aside from the top floor which as on other elevations is faced in zinc cladding. The side elevations of other elements are plain and contain few windows.

A landscape drawing is included which shows a number of the existing trees and existing hedge being retained facing Coronation Road, to the side some trees are also retained as well as a short section of the existing hedge with some new trees, seating and an area indicated for play, but no details of what this may include. The internal courtyard will also include some seating with shrub planting and new trees. Four ground floor apartments will have private terraces into this area.

### Community Engagement

#### Process

The statement of community involvement included with the application refers to discussions taking place with the BS3 planning group and there is a summary of points raised.

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It is stated that the current proposal responds to all comments that were received to the refused application and not therefore considered necessary or appropriate to undertake significant re-consultation.

Response to publicity and consultation on the planning application.

Ninety two letters of consultation were issued with a closing date for comment of the 11<sup>th</sup> August 2021.

As a major application in a conservation area the application was advertised on site and in the press with a closing date for comment of the 18<sup>th</sup> August 2021.

Seven responses have been received as follows;

BS3 Planning Group- it is too high in relation to adjoining buildings, the mansard roof does not enhance the visual appeal, from the side and rear it is an ugly block structure, it does not enhance or improve the conservation area.

WHAM- positives include the proposal to dot affordable units throughout the scheme, provision of more three bed units, there is a generous area given over to landscaping, disappointing that on site renewables only result in 20% CO2 reduction, quantifiable targets on materials and waste would be welcome, the building still appears taller and an abrupt departure from the context- object

Conservation Advisory Panel- the mansard roof was not set back enough making it too dominant, the five storeys on St Johns Road is too overbearing

Other comments can be summarised as follows;

Height- this is out of keeping

Impact on neighbours- they will be overlooked and overshadowed , there will be noise pollution during construction

Ecology- bats live and breed in the area to include the trees at the back of 46/47, it will affect breeding birds

Parking- there is bound to be an increase in demand for parking places with this development, this will create serious competition on Southville Place for parking

**Key Issues**

A. Is the loss of employment land acceptable?

One of the reasons for refusing the 2019 application was the loss of employment floorspace. At that time it was noted that the building was still actively in use and when visited on the 29<sup>th</sup> July 2021 this was still the case.

Then, and now, it is argued that an earlier prior approval for a change of use of the office building to flats – ref.17/02540/COU- is a fall back position that would allow the loss of the offices on the site. However this has lapsed and while it could be applied for again, limited weight is given to this potential fall back position.

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The Economic Statement included with the current application states that the building comprises outdated and inefficient floor space not suitable for the needs of a current office and when it is vacated it is not considered that there will be any demand for its continued use as offices.

Supporting information that has been supplied which states that the current occupants have outgrown the current office and need to be relocated to grow the business and the preference is for a better quality open plan office and following the pandemic their intention is to relocate to be better connected to the M5. Details of offices either available at present or under construction towards the city centre at the end of 2021 are provided which shows there to be 551,913 square feet in the pipeline and 763,563 square feet immediately available.

With regard to the re-use of the existing building on site for employment purposes, it is agreed that it is not to a modern standard particularly with regard to accessibility and energy efficiency .

However the text to DM12, which covers employment buildings and sites, states that retaining employment sites helps to provide employment and business opportunities close to where people live so reducing the need for car travel .

The policy states that relevant sites should be retained for employment use unless it can be demonstrated that there is no demand for employment use or it would have an unacceptable impact on the environmental quality of the surrounding area. Evidently the latter is not the case as the existing offices have been operating without complaint for many years. Regarding the former, it is adopted practice to ask for evidence of an appropriate marketing exercise of at least six months to demonstrate that there is no demand. There are adopted guidelines for such an exercise which are available on the council web site.

In spite of the time that has elapsed since the refused application no marketing exercise has been undertaken. The agent asserts that marketing of the site is not deemed necessary or appropriate because the only option is to redevelop the site to make more efficient use of the land. They refer to a letter from JLL, which has been provided, that concludes that this is not a site which would be viable as a new build office scheme.

There therefore remains a policy imperative to be able to demonstrate the site is not valuable for employment purposes.

Notwithstanding, one key consideration must be the situation with regard to the 5 year housing land supply, which is a statutory requirement. When the 2019 application was considered, there was a 5 year supply of housing land. This is no longer the case and therefore the tilted balance, as set out in Para 11 d) of the 2021 NPPF, applies which states that;

**‘For decision-taking’...**

‘where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.’



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This specifically addresses situations where it is not possible to demonstrate a five year land supply of deliverable housing sites and the policies referred to in i) are those that cover matters such as Green Belt, SSI's and flooding.

This does not preclude other policies being grounds to resist the proposal however it is considered that if the current proposal is otherwise acceptable when assessed against policies, which accord with the NPPF, then it would not be wished to refuse it on ground of loss of employment land alone.

Also of relevance is Para. 123 of the NPPF, which states that;

‘ Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework;’

As above, at present it is not possible to demonstrate a 5 year supply of housing land. The development will contribute to the target of 8,000 new homes in South Bristol as set out in BCS1 of the adopted core strategy and the Corporate Strategy target of 2,000 new homes in the city each year to 2027.

Both National and local planning policy support the efficient use of brown field sites and residential development in sustainable locations- ref.BCS20.

**B. Is the tenure of the proposed accommodation acceptable?**

The proposed development falls within Use Class C3 of the Use Classes Order, meaning that it is required to address the Council's Affordable Housing Policies. It comprises 46 dwellings and therefore it is required to comply with Core Strategy Policy BCS17, which seeks the provision of up to 30% affordable housing (14 affordable dwellings) subject to scheme viability.

The National Planning Policy Framework (NPPF) and the associated Planning Practice Guidance (PPG) were revised in 2019, and these revisions are pertinent to the assessment of scheme viability.

When the application was first submitted the stated intention was to provide 20% affordable housing in line with the fast track procedure that had been approved for the inner west and inner east area in 2018, and subsequently extended to the Greater Bedminster Area following approval by cabinet in 2019. This fast track procedure allows for the affordable housing offer on site to meet a 'Threshold' of at least 20% , as opposed to 30% which would be policy compliant, without the need for viability testing as long as the applicant agrees to commence development within 18 months of a decision, which would be included in the legal agreement. The intention being to increase the amount of affordable housing than was previously being achieved and ensure it is construction.

However the approved extension of the fast track provision to Greater Bedminster was only up to March 2021, it has not been further extended and has therefore expired.

The Applicant has subsequently claimed that, to remain viable in planning terms, the proposed scheme is unable to provide any affordable housing. A Viability Report and supporting commentary has been submitted by JLL on behalf of the Applicant in support of the claimed viability position.

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Officers commissioned Cushman & Wakefield to assess the JLL Viability Report and advise the Council as to whether the Applicant's claim was reasonable. Cushman & Wakefield provided a detailed assessment of the JLL Viability Report, including an independent Cost Consultants Report, and whilst they did not agree with all the inputs used by JLL, they did agree that the scheme was unable to provide any affordable housing.

The following table summarises the conclusions of the Viability Reports.

	<b>Benchmark Land Value</b>	<b>Residual Land Value</b>	<b>Deficit</b>
JLL	£1,590,000	- £193,764	£1,783,764
Cushman & Wakefield	£1,590,000	£1,169,480	£420,520

One of the main reasons for the scheme being unable to provide affordable housing is the unusually high Benchmark Land Value, which arises due to the site currently containing two houses as well as the Castlemead House office block. This results in a land value of nearly £1.6million, whereas had the land only contained the office block, the land value would have been nearer £0.8 million.

It is pertinent to note that build cost inflation is currently running at in the region of 10%. This, along with the unreliability of supply of certain materials has resulted in longer build out programmes, which increases financing costs. These costs increases are outstripping sales value increases, which is making viability (particularly of high density flatted schemes) increasingly challenging.

Viability of high density schemes in Bedminster has been challenging for many years, as evidenced by the relatively low level of affordable housing secured from nearby schemes such as St, Catherines Place (0%), the former Argos Site at 66 East Street (£175,000 contribution), Little Paradise (7%) and Regent & Consort House (£127,492 contribution following a viability review).

In respect of the Castlemead House scheme; it is recommended that the application is approved with no requirement to provide affordable housing. However, it is also recommended that upward only viability reviews, based on the conclusions of the Cushman & Wakefield report, are required as follows:

- A viability review to be undertaken upon commencement, if development has not commenced within 18 months of a planning consent being granted. If this concludes that the scheme can provide affordable housing, this will take the form of on-site provision unless otherwise agreed by the Council.
- A late stage viability review to be undertaken upon occupation of no more than 20 of the open market dwellings. If the review concludes that the scheme can provide affordable housing, this will take the form of an off-site contribution. It will be calculated based on a 50:50 profit share of any profit generated over and above the percentage set out in the Cushman & Wakefield Report.

In addition, the following obligation is recommended:

- If the land is sold at any time prior to completion of the development, evidence of the sale price is to be provided to the Council within 1 month of the sale completing. If the sale price is in excess of the Benchmark Land Value (£1,590,000) an affordable housing contribution will be payable based on a 50:50 profit share on any landowner profit generated over and above the agreed Benchmark Land Value.

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The application of these obligations should incentivise the developer to deliver the scheme rather than just banking the planning consent, thereby avoiding the 18 month viability review. In addition the obligations will ensure that the Council benefits from any additional profit gained by either the developer or the landowner, through a profit share arrangement that would result in an affordable housing financial contribution being paid to the Council.

In addition to affordability, in the context of the refused application, concern was expressed regarding the high amount of private rented accommodation both in Southville Ward and at Lower Super Output Level – 34% and 37% respectively – and that if the scheme was a private rental scheme then this would add to this imbalance. However it is only affordable housing that planning can seek to control and the sale or rent of other properties falls outside of planning's remit.

C. Is the mix of accommodation being provided acceptable?

The failure to create a development that could support mixed, balanced and inclusive communities was one of the reasons for refusing the 2019 application as it not only involved the loss of two family sized houses but provided a preponderance of one bed, one person apartments.

BCS18 seeks to ensure that all new residential development provides for a range of housing types to help support the creation of mixed and balanced inclusive communities. Affordable need and demand should be met, developments should contribute to the diversity of housing in the local area and help redress any imbalance but should respond to the requirements of a changing population and employ imaginative design solutions.

As at present, the previous proposal was for 46 units with the mix proposed being 15 one bedroom, one person units, 20 one bedroom two people units, 9 two bed four people units and 2 three bed five people units.

The current proposal is for 9 one bed, one person units, 22 one bed, two people units, 3 two bed, three people units, 8 are two bed, four people units, 2 three bed four people and 2, three bed five people.

In support of the number of smaller units, a letter from Ocean Estate Agents is included which states that most purchasers which register with them are first time buyers both singles and couples, who are generally no reliant on cars. They state that they are attracted to smaller units as they are within their budget.

Previously the breakdown of dwelling types and tenure at both lower super output level and at ward level as shown in the 2011 census were considered to inform a conclusion on this key issue. The data from the 2021 census is yet to be made available so although somewhat out of date this data is still what is available. This shows a significantly higher than average population living in one bed units at approximately 27% with 16.5% city wide. Data at Lower Super Output Level shows that there is an existing high % of flats maisonettes and apartments – 75% for the area within which the site falls, with 41.7% being one bed units.

It is accepted that to make most use of the site will mean a flatted development and this will unavoidably add to the existing high percentage of flats. However larger units that could accommodate families could be included in the mix.

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When considering this it is relevant to take into account the fact that two larger houses will be lost to the development, albeit both have a licence for use as HIMO's.

The current application includes a lower percentage of one bed, one person units, a slightly higher percentage of two bed units and two additional three bed units, which are in the form of duplexes on the Coronation Road frontage. This is an improvement on the refused scheme and is considered to be acceptable.

D. Is the quality of the accommodation being provided acceptable?

That the development provided an unacceptable quality of accommodation was a reason for refusal.

All units now meet the nationally described space standards and although below the threshold of 50 where the need for wheelchair accessible units is applied as per DM, the proposal does contain 2 units that are wheelchair accessible and 2 that could be adapted for wheelchair use.

Of relevance to this consideration is the Practise Note on space standards but also the Urban Living SPD.

Previously the practise note advised that new dwellings should provide at least 2 bed spaces as this was considered the smallest unit size that could meet the flexibility and adaptability requirements in BCS15, 18 and 21. However the note has been revised and 1 bed space units are specifically now accepted.

The SPD advises on aspect, amenity space and play areas amongst other matters. These requirements are also reflected in DM29 and 28.

A full assessment in accordance with the SPD has been provided.

The units proposed are a mix of dual,(65%), and single aspect units, which the Urban Living SPD recommends should be kept to a minimum.

The proposal is supported by a daylight and sunlight assessment, the findings of which is that a small number of rooms that will receive daylight below that recommended with others receiving sunlight below the recommended amount. The two do not however coincide. Internal doors are to include elements of glazing to enable natural light to enter the communal corridor.

Hence although the footprint of the development as proposed has inevitably resulted in a number of single aspect units the accommodation will receive adequate light levels throughout.

Intervening distances between facing windows is a minimum of 18m though the layout of the dwellings have been designed to avoid windows that directly face each other. The number of bedrooms on the ground floor facing outwards has been minimised.

With regard to amenity space, 16 units have balconies and the development includes a central courtyard, to include 4 private terraces, a large shared amenity space of approximately 800m<sup>2</sup>. This is considered an acceptable response to the amount of space, it allows more than the minimum of 5m<sup>2</sup> per dwelling set out in the SPD and play facilities are shown on the submitted drawing but not detailed. Fifty percent of both key amenity spaces are given as receiving at least 2 hours sunlight at the equinox.

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In addition to the above, a noise assessment has been provided which confirms the main source of noise is general traffic. This includes recommendations for glazing and ventilation to include acoustically attenuated tricklevents, with some mechanical ventilation on the noisiest frontages, chosen for its minimal impact on the appearance of the building. This ventilation will incorporate heat recovery .

These measures are to be conditioned.

E. Is the design of the proposal acceptable- will it preserve and enhance the character and/or the appearance of the Bedminster Conservation Area?

The site falls within the Bedminster Conservation but also immediately abuts the City Docks Conservation Area to the north.

It is a statutory requirement under the Planning (Listed Buildings and Conservation Area) Act 1990 that developments either preserve or enhance the character and /or appearance of a conservation area. The NPPF confirms that the impact of development proposals should be considered against the particular significance of heritage assets, if proposals do cause harm to heritage assets then consideration should be given to the degree of harm.

The conservation area appraisal for the Bedminster Conservation Area was adopted in 2013. This identifies the office building on the application site as a negative building and the houses as neutral buildings as is the adjoining dental surgery. St Pauls church, to the west of the site, is identified as a positive landmark, the tower of this church is Grade II listed with the remainder an unlisted building of merit.

The conservation area appraisal shows the site falling within the Coronation Road character area but Lucky Lane and the church falling within the Acramans Road character area.

The former identifies the mature trees alongside the river as being important to Bedminster but also as a backdrop to the City Docks over the new cut, Coronation Road is described as being a continual line of terraced development containing a range of architectural styles and treatments and of this nos.69-78 are Grade II listed.

The latter is described as having a verdant character and surviving subsidiary character of back land streets such as Lucky Lane.

The part of the City Docks Conservation Area in the vicinity of the site includes 1-4 Wapping Road, on the opposite side of the new cut, which are Grade II listed.

The trees around the building are protected by a canopy preservation order and along with other trees to the front of other Coronation properties augment the green infrastructure referred to in this character area.

Given the negative attribution to the existing building, which is a modern infill of little architectural merit, there is scope to provide a higher quality building on this prominent corner and there is no objection to its demolition - ref. Policy B21.

The issues of siting, scale, height, mass, form, layout, appearance and overall design quality were referred to in the previous reason for refusal with specific reference to the grade II church tower of St Pauls.

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The current proposal is reduced in scale, height and mass. The layout is changed as is the overall design approach and therefore appearance. A Heritage Impact Assessment is included.

The current iteration of the proposal has been the subject of significant discussion following the refusal of the previous scheme and uses a mix of traditional materials and detailing to provide a development that is broken up into character elements that reflect their immediate context to include the terraces on Coronation Road and the mews style scale and appearance on Lucky Lane. Objections that have been received about the development focus on its height and while the 5 storey element on St Johns Road is higher than buildings in the immediate surroundings, it is on a corner that can accommodate a building of scale, noting that it looks across towards the development on the other side of Asda car park, which is mostly between five and six storeys. Other parts of the development step down in height to four, three and two storeys .

The height of the building is off set visually by the incorporation of features such as deep set windows arranged in a hierarchy of size.

A number of visualisations are included with the submission and show the continued primacy of the listed church tower in views around the site.

Pending good quality materials and detailing it is considered that the proposal as now designed will preserve the appearance and character of this part of the Bedminster Conservation Area and the setting of the grade II listed church tower.

The replacement of a blank car park by a landscaped area and the associated improvement of the area around the turning head at Lucky Lane will provide enhancement.

The introduction of windows facing Lucky Lane will provide casual surveillance and deter the anti-social behaviour in the form of fly tipping and graffiti that commonly occurs.

The Design and Access Statement refers to the potential to incorporate public art into the scheme.

There are therefore no objections on the grounds of BCS21 &22 and DM29 &31

F. Are there safety and security implications arising from the development?

The NPPF requires crime to be considered at the design stage and DM28 refers to the creation of safe public realm and the need to reduce crime and fear of crime through surveillance and management.

The Crime Reduction Officer has commented on the proposals advising that there has been a significant amount of Anti- Social Behaviour within a 400m radius of the site in the last 12 months. It is recommended that gates are controlled, visitor access should be by audio/visual control and trade buttons are advised against. Bicycles must be secured in two positions and the door to the cycle store should be incorporated into the access control system, cctv is recommended.

These are levels of detail that the planning process would not as a rule seek to control however the applicant is fully aware of the comments and has confirmed that entrance control measures will form part of the detailed design of the scheme.

G. What are the implications for the trees on the site?

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The lack of information about the existing trees and mitigation for any to be lost was previously a reason for refusal.

An Arboricultural Impact Assessment and Method Statement is now included with the current application.

The hedge and trees around the site are considered to be key features within this part of the Bedminster Conservation Area and contribute to the verdant character described in the conservation area character appraisal. They are being largely retained. The Arboricultural impact Assessment and Method Statement refers to six trees being removed to enable the development to proceed, these are all classed as category C. The size of the trees in question results in the need for 12 new trees to comply with the Bristol Tree Replacement Standard.

Two other trees are given as being dead and this is borne out on site. To the rear trees on an adjoining property may penetrate an existing out building that is to be removed to enable the scheme to be constructed and care will be required to ensure no root damage, this work will need to be overseen by the project arboriculturist, who will also oversee the removal of hard surfacing within the root protection zone of any retained trees.

Those trees that are to be retained will be protected.

A number of new trees are included in the landscape proposals to include the new trees in the private land close to the turning head on Lucky Lane.

The detailed design of the landscape proposals are to be conditioned and this will refer to the inclusion of a minimum amount of trees, which is given as 10.

As this is two less than would be required under the Bristol Tree Replacement Standard, a financial contribution of £1,530.42 will be needed and this will be included in the proposed legal agreement.

#### H. Are there any ecological implications arising from the proposal?

One commentator has referred to bats in the area. As is always the case when removing buildings there is a need to check whether there are any bat roosts within the roof spaces. A bat emergence survey was undertaken in May 2021 which showed that there are no bat roosts within the buildings and limited bat activity in the area as a whole. There is however an outside possibility of bats occupying the buildings later in the season and it is recommended that all roofs be soft stripped. The introduction of bat roosting boxes is recommended.

A Biodiversity Net Gain Assessment has also been submitted which takes into account the proposed removal of trees and hedges and the mitigation being proposed in the form of new native hedging and trees and concludes that there will be approximately 12% gain across the site.

Conclusion- Pending compliance with recommended conditions there are no objections on the grounds of Policies NE3, B1, B2, B5, B8, B13 and B15.

#### I. Will the proposal have a detrimental impact on the amenities of neighbours?

The impact on neighbours is of key concern and the impact on adjoining properties on Coronation Road and those to the south on Southville Place require detailed assessment. The latter was cited in one of the reasons for refusal in 2019.

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The reduction in scale to the rear of the development has alleviated some of the concerns about the impact on the Southville Place, which will now look onto a two storey element albeit at a distance of only 12m at a minimum though this does increase elsewhere.

A Daylight and Sunlight Assessment has been included with the submission which analyses the impact the proposal will have on daylight and sunlight to the nearest properties to include those on Southville Place.

This concludes that the proposal will have a minor noticeable impact on the light to the two ground floor windows at the rear of 2 Southville Place.

However this does not address the more subjective matter of overbearance , impact on privacy or noise.

Overbearance- the intervening distance and reduction in the height of the proposal to two storeys as it faces Lucky Lane will mitigate an impact of overbearance

Privacy – the distance between the windows on the rear of the development and those on the rear of the nearest houses on Southville Place will be a minimum of approximately 12m, which is low even in a the surrounding context of Victorian terraces. At ground floor level the existing rear boundary wall to these properties will provide a good degree of privacy though the windows at second floor will be more overlooked. This matter has been raised with the agent with a request that lower part of the new windows in question be obscure glazed. This is agreed in principle and details to be agreed by condition.

Otherwise intervening distances are greater at approximately 17m, which is typical in the surrounding area.

Noise-The introduction of 46 new flats will mean some increase in levels above that created by the existing office block and the two houses in multiple occupation.

However the main entrance door faces St.Johns Road with others facing Coronation Road, which are both busy thoroughfares where existing ambient noise levels are high. It is not considered that the resulting situation could be one to justify objection.

J. Is the proposal acceptable on highway safety grounds?

The implications for highway safety were previously reasons for refusal with concern about the conflict between pedestrians and parking cars.

The scheme has been adjusted to include only two parking spaces serving the duplexes facing Coronation Road and has thereby removed these concerns.

This proposed lack of car parking spaces is considered acceptable given that the site is within walking distance of the city centre and the shops and facilities in East Street shopping centre. Coronation Road and East Street are also major public transport routes and a combination of distances and topography renders the site suitable for cycling. It is therefore a sustainable location and one where it is possible to work and live without the use of a car for every day needs. A Residential Travel Plan is included with the application and is considered acceptable and will be conditioned.



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An advice will be included to the effect that the occupants of the development will not be eligible for parking permits under any residents parking scheme.

A financial contribution of £73,321 will be made towards public transport improvements in the vicinity of the site via a planning agreement. This will directed towards improved bus stops in the vicinity of the site. This will be included in the proposed legal agreement.

In addition, contrary to the previous scheme the application now includes 62 cycle parking spaces, in the form of Sheffield Stands and accessible from both internal cores. This is in accordance with adopted standards.

The refuse and recycling store is designed to comply with Bristol Waste Guidelines. While this cannot be reached internally, which would be preferred, no objection is raised on these grounds.

The units facing Coronation Road will have their individual stores.

These items will be conditioned.

Discussions have taken place regarding the design of the turning head on Lucky Lane and the principle of a better configured area with kerb upstand is agreed in principle. There will be a need for some form of barrier to prevent through vehicular access at this point as at present Current highway adoption is limited to the turning head only at this point and there may be a need to adjust this. Full details of the design of this area are to be conditioned.

Improvements to footways and lighting around this site will also be addressed.

Pending the above there is no objection to the scheme under DM23.

K. What are the implications for air quality?

The site falls within an Air Quality Management Area, (AQMA) and Coronation Road will be included in the proposed Clean Air Zone, which will exclude non-compliant vehicles, in particular diesel vehicles.

The Air Quality Assessment submitted with the application takes into account all relevant policies at national and local levels that relate to the amount and type of transport to include that in the draft revised Bristol local plan, which was consulted on in spring 2019 and requires an assessment of emissions generated by all development and measures to protect residents from the effect of pollution in AQMAs.

Using air quality readings from nearby monitors and employing the guidance issued by the Air Quality Management and Environmental Protection UK it is concluded that a satisfactory air quality environment will exist for residential use which is likely to improve following the imposition of the Clean Air Zone.

As a virtually car free development it will not contribute significantly to emissions.

There are therefore no objections on the grounds of BCS23 and DM33.

L. Does the proposal adequately address the matter of climate change?

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The council has declared a climate change emergency and the adopted One City Plan includes the objective of being carbon neutral by 2030. In line with this the Climate Change and Sustainability Practise Note was updated in June 2020 to clarify how Policies BS13-16 were to be implemented to help achieve that goal.

The 2019 application was in part refused because it did not commit to connection at a future date to the District Heat Network. The suggested heads of terms for a section 106 agreement included in the submission confirms that this is acceptable. The plant area in the development will allow a connection to be made to the DHN with a back stop position of a gas fired communal gas boiler.

In line with BCS14, the proposal also includes on-site renewables to secure a 20% reduction on CO2 emissions in the form of PV panels for which an indicative layout is included. Further details of this will be secured by condition.

The Energy and Sustainability report that has been included with the planning application refers to high levels of insulation and air tightness which will combine to reduce overall energy use.

An overheating assessment is included with the submission which acknowledges that some rooms may require additional cooling based on the predicted 2050 and 2080 temperatures. A variety of measures are suggested to include internal solar shading and opaque balustrades but also solar shading. Windows which are most vulnerable to future overheating on south and west facing elevations include solar shades.

There is a potential issue on the facades facing the main roads where there could be a tension between ventilation and securing a satisfactory level of sound insulation. It is agreed that this be reviewed given that the clean air zone and growth in electric vehicles may reduce noise.

Materials will be selected that have a lower environmental impact with a preference for recycled/reclaimed content.

Information submitted includes correspondence with Openreach who confirm that they will provide fibre Broadband to the site, which would provide superfast broadband as required by BCS15. While evidence is not included to show that a contract has been signed to this effect, which would be required in line with the Broadband Practise Note, this is considered acceptable.

**M. What are the implications for flood risk?**

Although the site falls within Flood Zone 1, of great significance is the fact that the Malago culvert runs under the site, this was constructed in response to the floods that took place in the 1960's. The Malago is a designated main river and therefore falls under the control of the Environment Agency and any works within 8m of the culvert requires a permit. Any damage to the culvert carries with it a risk of causing flooding.

A Flood Risk Assessment has been submitted with the application.

To remove the risk of damage to the culvert it is intended to use piling methods for the foundations of the building to minimise disturbance and transfer building loads to a level below the culvert. To facilitate access for maintenance the design of the amenity space to the side of the proposed building does not include any fixed structures.

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The Environment Agency has commented on the application to the effect that they have no objection to the proposal provided conditions are imposed to require the development to be undertaken in accordance with the submitted Flood Risk, that there will be no surface water connections to the culvert and a maintenance buffer must be secured.

In respect of the drainage of the site, a scheme has been submitted based on SUDS principles comprising permeable paving with a deep enough base to accommodate a 1 in 100 year 24 hour storm and soft landscaping. This is considered acceptable in principle but full details and information on ongoing management will be required by condition.

It is noted that the suggested routing of surface water to the New Cut is unlikely to be acceptable to the highway authority and hence the new connection and outfall should be adopted by Wessex Water. The applicant is aware of this concern.

Pending the above the application is considered acceptable when assessed against BCS16.

**N. Are there any contamination issues arising from the application?**

This matter has not been specifically investigated however as a previously developed site within the inner city and the fact that a residential use is being proposed, there is a possibility that contamination will be an issue. For example it is not known how the land was used between the demolition of the houses on the site and construction of the new offices and at a later stage creation of the landscaped parking area.

For this reason further site assessment and a scheme of remediation, if found to be required, are to be the subject of condition.

Also given the known bomb damage on this site and absence of risk assessment supplied with this application, a UXO risk assessment will be required.

Ref DM34.

**Conclusion**

There remains a lack of evidence through a marketing exercise that the site is not viable for employment purposes. It is however outside of areas where warehousing and industry are specifically protected by adopted policy and it is acknowledged that there are a number of new office developments elsewhere in the city, which have available space. Given the current shortfall in the provision of a 5 year bank of housing land the tilted balance as set out in para 11 of the NPPF applies and it would not be wished to refuse the application on these grounds alone.

This is a well-designed proposal for a prominent corner and will preserve the appearance of this part of the Bedminster Conservation Area. The financial viability assessment which was submitted has been appraised and it is found that it has satisfactorily demonstrated that the site cannot financially support any affordable housing.

The reasons for refusing the 2019 application are otherwise overcome.

Accordingly it is recommended that the application be approved subject to a Section 106 Agreement to address the following;

Affordable Housing;

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1. If the land is sold at any time prior to completion of the development, evidence of the sale price is to be provided to the Council within 1 month of the sale completing. If the sale price is in excess of the Benchmark Land Value (£1,590,000) an affordable housing contribution will be payable based on a 50:50 profit share on any landowner profit generated over and above the agreed Benchmark Land Value.
2. If the development is not commenced (as evidenced by the issuing of a CIL Commencement Notice) within 18 months of a planning consent being granted for application 21/02976/F, a viability review is to be undertaken upon commencement of the development. This is to be based on the Cushman & Wakefield Report and the inputs are to remain consistent, with changes being limited to increases or reductions in costs and values. If this concludes that the scheme can provide affordable housing, this will take the form of on-site provision unless otherwise agreed by the Council.
3. In any event, a late stage viability review is to be undertaken upon occupation of no more than 20 of the open market dwellings. This is also to be based on the Cushman & Wakefield Report and the inputs are to remain consistent, but with actual build costs and sales values included. If the review concludes that the scheme can provide affordable housing, this will take the form of an off-site contribution. It will be calculated based on a 50:50 profit share of any profit generated over and above the percentage set out in the Cushman & Wakefield Report.

District Heat Network- to secure connection to the District Heat Network

Financial Contributions;

£ 73,321 as a contribution to the upgrade of public transport in the vicinity of the site

£1,530.42 to mitigate the loss of existing trees on site in accordance with the Bristol Tree Replacement Standard

Conditions are recommended as outlined in the report – delegated powers are requested to complete them and agree them with the applicant.

## Appendix

### Site Plan



Existing building on site



Refused scheme Visualisations – ref application no. 19/02585/F





Current proposal

Visualisations





Proposed Ground Floor Plan





Proposed North Elevation



Proposed East Elevation



## Proposed South Elevation

