

19/1556/FUL - Objection addendum - 11 Jun 2020

Andy Robinson & family

Dear Mr Diamond,

We are submitting these notes in addition to our original objection for 42 Northernhay Street, all of whose points stand. The amendments to the development do not materially change the threat of the proposal for us. However, we do think that the changes are substantial enough to constitute a fresh application.

Removing floors, removing co-living from Block 2, reducing the number of co-living beds, increasing the number of hotel beds, removing the 'glass box' floors, changing the design of the co-living elevations, the addition of a 'green wall', the removal of some glazing, redesigning the fabric of block 1, replacing the footbridge to the Guildhall - these all add up to a significant change in the character of the proposal.

We have signed a letter to the council to that effect.

However, the changes don't alter our feelings about it or lessen the hugely detrimental effect it will have on the area and our family in particular.

We would first like to focus on the planning aspects of the development in this addendum.

The development conflicts with national and local planning policies, including heritage assets, design, landscape impacts, housing policies, town centre uses, and transport policies.

Heritage and archaeological assets

There's a consensus among organisations concerned with heritage. The Georgian Group, the Victorian Society, the Exeter Civic Society and the statutory consultee, Historic England, all conclude that the proposed development will cause harm to heritage assets.

We think this accumulates to the level of substantial harm. It's a vast development that will sit almost on top of a national monument (one that has been compared in its importance to

Stonehenge), and within the setting of dozens of other heritage assets. By putting the wall and so many buildings into a shadow, and in dominating the setting of the entire area, we believe the character of the area will be destroyed.

The fabric of the scheduled monument and many listed houses on Northernhay Street will be damaged by the reduced sunlight; they will become colder and damper, to the detriment of the wall's structure and occupants' health and the structure of the buildings themselves, which will have an increased incidence of wet rot and mould.

The developers admit only 'less than substantial harm' to heritage assets, but even in that case there needs to be "clear and convincing justification" for that harm (NPPF para 194) and for an assessment to be undertaken as to whether the public benefits of the scheme outweighs the harm to such assets (NPPF para 196).

We have been advised that, in the circumstances where there is no 5 year HLS (as is the case here), there is a presumption in favour of permitting the development unless the harm caused by the development significantly outweighs the presumed benefits of the scheme.

The onus is on us to build a case showing that there are significant disbenefits. These are what we find to be the main ones.

Need for the development

Curlew emphasises the purported need for housing in central Exeter, and relies heavily on the lack of a 5 year HLS and the findings of the Planning Inspector in the appeal decision at Walnut Gardens (APP/Y1110/W/19/3238758).

The lack of a 5 year HLS engages the so-called "tilted balance" as set out in para 11 of the NPPF. However, the current proposal isn't a simple planning application for residential development. If it did fall into such a use class, it would need to make provision for some affordable housing and be liable for a Community Infrastructure Levy (CIL) charge. It does neither and the lack is a serious public disbenefit.

Co-living

Is such a form of accommodation helping to reduce any shortfall in the HLS – and if so, to what extent? There is no evidence that a co-living development will free up HMOs (as was found in the Walnut Gardens appeal – which was for student housing, where it was agreed that there was a

“substantial need”). The developers have produced no evidence that this development would release HMOs for residential use.

No details have been provided as to the “affordability” of the co-living units, nor the demand for them within Exeter. There are no examples of such developments anywhere in the South West – the “Introduction to Co-Living” document submitted in support of the application refers to an application in Bristol which is pending determination, and the only built example provided is that at Old Oak in London which has 542 beds divided across 323 rooms, a far lower density than that proposed here.

Curlew gives no analysis of the experience of residents or any indication of whether the scheme has proved to be a success or not. And the housing market and housing demand within Greater London is not comparable with Exeter.

The only Local Plan in the country to which the applicants refer as directly relating to Co-Living is the London Mayor’s Plan (see Planning Statement para 4.22). Its Policy H16 requires such developments to contribute to the creation of mixed and inclusive neighbourhoods.

Policy H5 of the adopted Local Plan seeks to limit overconcentration of use in any one area of the city which would either change the character of the area or create an imbalance in the community. Given that the proposed development will be explicitly marketed and focused on young professionals, the scheme isn’t compliant with the policy requirements.

The co-living apartments themselves are problematic. They are extremely small and do not offer any space other than the rooms and communal areas for residents.

There is no evidence of demand for this type of accommodation; just the supposition that if you build it, they will come. Some may out of necessity if it’s cheap enough, but this won’t be affordable, so we think they won’t.

There is no evidence or research that shows that keyworkers would choose to live in this kind of environment. There is no evidence or research based in Exeter that anyone would want to live in this particular kind of co-living block, keeping in mind there is a distinct difference between this and co-housing, which is focused on community and is generally low in density. This cynical development includes blocks which are about packing in as many people as possible into a small space to make maximum profit.

The idea of co-housing has been twisted and manipulated by investors to make maximum profit and renamed co-living. If the council believes that the focus in this case is on providing high-quality

accommodation and community to residents, they need to explore fully the true meaning of co-housing and the differences between it and the co-living concept being proposed here.

This kind of co-living development is not as progressive as it might sound. Manchester has seen through a cynical attempt to build high-density living without size and space standards to adhere to. (<https://democracy.manchester.gov.uk/documents/s12248/Co-living.pdf>) There is no policy on co-living in Exeter. This needs to be created, to close the gap developers will use to exploit our housing market.

In the light of the pandemic, we can't imagine the prospect of such living quarters to be attractive or even feasible. Residents living in such quarters during a pandemic would likely suffer a miserable existence at best, with a greatly increased likelihood of catching and spreading the virus.

During a pandemic, a co-living complex could easily become a breeding ground for the virus, with all residents eventually becoming infected. Since social distancing in a co-living complex - especially one as densely packed as what's envisaged here - would be virtually impossible, co-living blocks would come to represent a danger to the rest of the community.

In Singapore, most Covid cases were migrant workers living in dormitories. Not exactly the same as co-living, but close enough to bear comparison.

The JLL 2020 research report into the implications of the pandemic on real estate, says "we expect investors will continue to look to a few considerations as major arbiters of asset-level risk in the near term... the higher the density of occupants, the higher the operational risk of contagion. This creates short-term risk for hotels, retail, select living assets and flex-office operators."

One of the "select living assets" will undoubtedly be co-living complexes like the one being proposed here.

The report also says there will be more remote working and so "less freelancers and contractors that they [ie developers] are targeting with their co-living".

Will young people's families want them to stay in the equivalent of the Diamond Princess cruise ship? (See <https://www.nature.com/articles/d41586-020-00885-w>). And what about those who are vulnerable - how will they be protected in this building?

The lack of any outdoor space is another problem. It conflicts with the requirements of national policies as set out in the NPPF for the promotion of healthy communities.

Combine all these factors and it seems the council would be taking a huge risk with the health of its citizens by promoting this kind of accommodation. We've been surprised by the apparent enthusiasm for co-living shown by members of the council. We've even seen council leader Philip Bialyk expounding the virtues of co-living while standing in front of the Harlequins Centre a couple of months before the submission of this application. But it's an untested concept that avoids levies while (let's be honest) providing student accommodation by another name.

Economic benefit

The economic impact of the pandemic will also have an effect on the number of young professionals looking for accommodation. We think the economic impact assessment needs to be re-examined and its projections revised downwards.

We see no evidence to support the assertion that there is either a shortage of hotel accommodation in the area or a need for an additional 128 beds. The need for hotel accommodation is not addressed, and there appears to have been no viability assessment.

The 'green wall'

We think this is not appropriate for commercial housing. It will deteriorate if it's not maintained and, with the frequent changes in site management typical of such developments, it probably won't be. If the green wall goes ahead, we ask that the developer is committed to a maintenance contract that is regularly reported on, in perpetuity.

The real visual impact

My partner and I have frequently called for a proper visual representation of the development as it will appear to the people living, working and staying in Exeter.

The developers could easily and inexpensively have produced a 3D interactive model that showed exactly how the buildings would appear from any real viewpoint. A development of this scale surely needs to be seen before it is approved or denied, and the means of doing so are well within reach. Instead, in the simulations we have been given mere glimpses of the building, as if this vast edifice is going to be something one briefly catches sight of, and only then if one is in just the right spot.

If Curlew is so confident of its design excellence, its sensitive blending in with historic surroundings, show us what a great job has been done. Instead it seems we have a handful of snaps, apparently taken low down with a wide-angle lens, which entirely fail to capture the real view. Generally, the selection of the views has also been carefully calculated to show the least impactful angles of the development on the surrounding area and the listed properties of

Northernhay Street. Again there are no clear images of the surrounding area and for those who don't know the street and area it looks like it won't harm the area at all.

The 'realistic' angle of view for a camera lens is about 50mm. We'd like to see the 'before' pictures onto which the development has been overlaid, and we'd like to know what angle of 'lens' was used to make the buildings appear to modestly lean away from the viewer.

If the development is built as planned, can we have a guarantee from the council and the developer that the eventual views will exactly match those promised in the proposal? We will be taking pictures of the final development and comparing them with the visual impact assessment.

Our loss of amenity

My family will be deprived of direct sunlight for a significant proportion of each day, until the sun finally makes its way around the southern tower. Since vitamin D has been found to provide one of the best defences against Covid-19, we take the depletion of its source seriously.

On a personal level, and as we stated at length in our original objection, we face a significant loss of amenity.

Having a vast new building containing countless transient visitors looming over our home will deprive us of sunlight, privacy and the right to private enjoyment of our home.

I'd like to remind you of a letter regarding overlooking and shading, from Chris Dent, in which he states:

"It is clear that the end wall of the proposed block B will hugely impact on the light and view from the living room of No 42. It would appear at an elevation from horizontal of 60 degrees.

"The main part of my client's "L" shaped garden will have the new block looming over [it] and at the main living room window the new block appears to be 15 degrees above the wall (which already appears overbearing). I note that the corridor windows in this elevation are likely to be frosted glass but the lighting and overbearing nature will still exist and there will be views from the return elevation into the houses and gardens of their neighbours lower down the street.

"My clients consider that the form and massing of the building is still excessive in relation to the private housing. I suggest the above information is needed to examine this properly in more detail. If an amended scheme is produced in relation to the comments from Historic England I request that you ask the developers to indicate this relationship in their section drawings."

In terms of impact, the amendments make little difference. Having been told we'll have to share space with an elephant, it's hardly comforting to hear that a hippo is to take its place. Different, yes, but the problems are the same.

These buildings would dominate every view and entirely change the character of the area. Many residents in Northernhay Street will feel their homes have been ruined, and they will move out.

We see that the police have concerns about safety and security. They anticipate an increase in crime and are asking for more lighting, shorter trees and CCTV to monitor it. The effect on us would be to floodlight our home through the night. We would probably be subjected to the CCTV surveillance in our home and garden; another impact on our privacy and the safeguarding of our children. And we thought it couldn't get any worse.

Collaboration not consultation

We are open to working with the developer to agree on a better solution. So far we have been "consulted", but ignored.

Yours sincerely

Andy Robinson