



ROWE
GROUP

Job Ref: 8827
19 September 2018

Town of Cottesloe
PO BOX 606
COTTESLOE, WA 6911

Attention: Ed Drewett – Coordinator Planning Services

Dear Sir

**Updated Development Application
No. 7 Avonmore Terrace, Cottesloe**

Rowe Group acts on behalf of Mr David Prosser, the land owner of No. 7 Avonmore Terrace, Cottesloe ('subject site').

We refer to the Town's previous correspondence to the land owner within e-mails dated 8th January 2018 and 9th March 2018 in relation to its assessment of the application. We also refer to our meetings with the Town's staff held at the Town on 29th March 2018 and 31st May 2018.

With respect to the matters contained within the Town's correspondence, we provide the following advice for your consideration:

Location and Site Description

The property is 1031m² in area and positioned on the south-western side of the intersection of Princes Street and Avonmore Terrace, with the latter providing the primary street frontage. The lot levels commence at approximately 17.5m at the Avonmore Terrace boundary, falling to approximately 12.8m at the western lot boundary.

Under the Town's Local Planning Scheme No. 3, the subject property is zoned 'Residential' with a density coding of R30. Based upon the density coding and land area, the property is capable of subdivision and/or development to a yield of three dwellings. It is developed with an existing single dwelling which maximises the existing fall of the property to present as a single storey dwelling at the Avonmore Terrace frontage, with a two storey aspect to the west in order to maximise ocean views. Substantial excavation of up to 1.8m below the natural ground level was previously undertaken in order to accommodate the lower level.

Level 3
369 Newcastle Street
Northbridge 6003
Western Australia

p: 08 9221 1991
f: 08 9221 1919
info@rowegroup.com.au
rowegroup.com.au



To the southern boundary is No.5 Avonmore Terrace, which is developed with a two storey three unit multiple dwelling development. To the west is No.5 Princes Street, containing four (4) grouped dwellings with a westerly aspect to the Indian Ocean.

Proposed Development

Updated plans of the proposed development are included at Attachment 1, with 3D images of the proposal being included at Attachment 2. The application proposes the following alterations and extensions to the existing dwelling:

a) Ground Floor Western Boundary

- i. New rectangular shaped bedroom at a floor level 686mm lower than the existing ground floor (13.024m in lieu of 13.71m);
- ii. Conversion of existing bedroom to a walk-in robe and ensuite bathroom;
- iii. Replacement of existing northern wall of the hallway with bifold doors;
- iv. Extension to the existing pool area to the west, increasing the ground level in this location by approximately 0.7m, with glass pool safety fence, gate and steps to the existing ground level;
- v. New heptagonal shaped outdoor kitchen with a floor level of 13.66 to integrate with the existing floor level of the adjacent pool area to the north, representing an increase of approximately 750mm above the existing natural ground level to the west.

b) Upper Floor Eastern Boundary

- i. New porch/entry foyer to the Avonmore Terrace frontage;
- ii. New ensuite bathroom and walk in robe to the existing master bedroom;

c) Upper Floor Western Boundary

- i. New rectangular shaped library at a floor level 686mm lower than the existing ground floor (16.074m in lieu of 16.76m);
- ii. Demolition of existing octagonal balcony and construction of a larger heptagonal balcony with a minimum setback of 3465mm to the western boundary;

The Town's assessment of the original proposal was detailed in an e-mail received by the client dated 8th January 2018. In response to the issues raised, we provide the following amended justification of the amended plans.

Building Height

Under the Town of Cottesloe Local Planning Scheme No.3 ('LPS3'), building height is defined as follows;

'building height means the maximum vertical distance between any point of natural ground level and the uppermost part of the building directly above that point (roof ridge, parapet, or wall), excluding minor projections above that point.'



Clause 5.7.2 of LPS3 requires that 2 storey buildings have a maximum wall height (to level of roof) of 6.0 metres maximum height or (to top of a parapet) of 7.0 metres and a maximum building height of 8.5m above natural ground level. 'Natural ground level' is defined within the Residential Design Codes as:

"The levels on a site which precede the proposed development, excluding any site works unless approved by the decision-maker or established as part of subdivision of the land preceding development."

Given the prior excavation which occurred a considerable time ago when the dwelling was initially constructed, it is not possible to confirm the exact ground level in the location of the existing building footprint. However, the feature survey prepared for the site incorporates contours within the Avonmore Terrace and Princes Street road verges, with Princes Street providing an indication of the likely levels across the property prior to development.

It is clear that many of the blocks in the area (including Lot 1 adjacent to the subject lot to the south), have had their natural ground levels modified over the years, in particular to bench the rear of the properties to provide practical, level, outdoor space with a westerly aspect.

In our view a practical approach needs to be taken in respect of the measurement of natural ground level in such circumstances. For example, it is apparent from Elevation 4 that the Natural Ground Level on adjacent Lot 1 is higher than the Natural Ground Level on the subject Lot 37 in a number of locations. That is, whilst Lot 37 has excavated and terraced the land, Lot 1 appears to have filled the land under which the building sits, but have left the western most part of the lot at a lower level, creating a terraced effect.

In our view, given the ground levels that have been approved as part of pre-existing development, the fairer and more equitable approach to take would be to consider natural ground level in the context of the approach taken in respect of surrounding development.

As demonstrated in Plan Sheet Nos. SK4 and SK5 of the development plans at Attachment 1, the additions to the proposed dwelling are generally within the 6.0 metre maximum wall height (to level of roof) and 8.5m maximum height as specified within Clause 5.7.2 of LPS3, aside from the location of the proposed balcony adjacent to Princes Street. In this location the development would have a maximum wall height of 6.0 metres to the roof and 6.76 metres when measured to the plate height of the wall; and a maximum height of 9.26m above the Natural Ground Level, being 0.76m above the 8.5m standard.

In view of the above, the proposed balcony requires consideration against the relevant provisions of Clause 5.7.5 of LPS3. The provisions within this clause are detailed below in bold and italic font, together with an assessment of the proposal for each:

In the case of proposed alterations, additions or extensions to existing dwellings in the Residential, Residential Office, Town Centre, Local Centre, Foreshore Centre and Restricted Foreshore Centre zones, the local government may vary the maximum heights specified in Table 2 and clause 5.7.2, where in its opinion warranted due the circumstances and merits of the proposal, having regard to -



(a) The existing heights of the dwelling;

As shown in the attached Feature Survey, the property is steeply sloping with a difference in level of 7.5m rising from west to east. The development proposed within the location of increased height has been designed to integrate with the established heights and floor levels of the existing dwelling, with the increased height arising from maintaining the established roof pitch within the increased floor area of the proposed balcony.

(b) Any relevant Local Planning Policy or Design Guidelines;

There are no relevant Local Planning Policies or Design Guidelines applicable to the proposal.

(c) Any heritage considerations relating to the dwelling;

The property does not have any recognised heritage significance.

(d) Relevant planning considerations identified in clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015;

Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the 'Regulations') identifies a range of matters which the local government is to have due to in its consideration of an application for development approval. The matters within Clause 67 of the Regulations considered to be relevant are already captured within the provisions of Clause 5.7.5.

(e) Adequate direct sun into buildings and appurtenant open spaces;

The portion of increased height is on the northern side of the property and would not affect access to direct sun for adjoining properties.

(f) Adequate daylight to major openings into habitable rooms;

The portion of increased height is on the northern side of the property and would not affect access to daylight for major openings to habitable rooms within the dwelling.

(g) Access to views of significance;

The portion of increased height consists of a roof with a 36-degree pitch, with the apex positioned approximately 11m from the northern property boundary adjacent to Princes Street. In view of the scale and location of this portion of the development, it would not unreasonably impede any existing ocean views for properties to the north and east, with the views of properties to the south also unlikely to be affected.



(h) Building design to ameliorate the visual effects of height including consideration of setting-back the side walls of added storeys from the side walls of existing buildings; and

The portion of increased height is minor in nature and positioned centrally within the width of the lot. Consequently, it would not result in increased building bulk or other adverse visual effects to surrounding properties.

i) The amenity of adjoining properties, including road and public open space reserves, and the character of the streetscape;

The development consists of extensions to the existing dwelling, with the design and materials used intended to achieve a 'seamless' integration with the existing dwelling, thereby maintaining the existing amenity and streetscape character of the locality.

and subject to the development -

(a) Not exceeding the existing number of storeys or, where that is already exceeded, not exceeding the existing number of storeys;

The development maintains the existing number of storeys.

(b) Not exceeding the height of the existing dwelling, unless the Council is satisfied with the design and its implications having regard to the above criteria; and

The portion of the development resulting in increased height does exceed the height of the existing dwelling. However, the increased height is partly due to the fall of the land to the west. When viewed from both the northern and southern side boundaries, the area at which the 8.5m height is exceeded is lower than the (compliant) height of the proposed roof above the proposed ensuite bathroom and walk-in robe to the existing master bedroom.

(c) In the Foreshore Centre Zone, the development not exceeding the requirements of clause 6.4.3.1 (a) and (b).

This is not applicable as the property is not within the Foreshore Centre zone.

Residential Design Codes

Clause 5.4.1 – Visual Privacy

Deemed-to-Comply provision C1.1

Major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level and overlook any part of any other residential property behind its street setback line are to be:



- i. Set back 7.5m from the lot boundary (areas coded R50 or lower); or
- ii. Provided with permanent screening to restrict views within the cone of vision from any major opening or an unenclosed outdoor active habitable space.

Within the plans originally submitted to the Town, the following components of the development did not satisfy deemed to comply provision C1.1:

- a) The southern balcony was proposed to incorporate some fixed screening, though the western face of the partial 'octagon' was to remain unscreened and the associated cone of vision extended approximately 2.5m into the neighbouring No.5 to the south;
- b) The northern upper floor balcony was to be unscreened, with the associated cone of vision extending approximately 2.5m into the western property at No.5 Princes Street;
- c) The proposed ground floor kitchen and pool area were also to be unscreened, with the associated cones of vision extending approximately 2.5m into the western property.

Within the amended plans included at Attachment 1, the southern balcony has been replaced with a library which does not include any south facing openings. Therefore, there is no longer any need to assess potential overlooking to No. 5 Avonmore Terrace and deemed to comply requirement C1.1(ii) is satisfied.

Fixed screening is also proposed on the western side of the northern balcony to a height of 1.7m, satisfying C1.1(ii).

Satisfying the deemed-to-comply provision above is not mandatory within the proposal, where the development satisfies the associated design principles. An assessment of the components of the proposal described in c) above is detailed below.

Design Principles

The design principles described in Clause 5.4.1 of the R-Codes are described below:

P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:

- *building layout and location;*
- *design of major openings;*
- *landscape screening of outdoor active habitable spaces; and/or*
- *location of screening devices.*

P1.2 Maximum visual privacy to side and rear boundaries through measures such as:

- *offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;*
- *building to the boundary where appropriate;*
- *setting back the first floor from the side boundary;*
- *providing higher or opaque and fixed windows; and/or*



- *screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).*

These objectives are met within the proposed development, as explained below.

Owing to the orientation of lots and dwellings in this location, any potential overlooking of adjoining properties from the outdoor kitchen and pool area would be limited to the roofline of No.5 Princes Street.

Photographs taken from the existing balcony (which has a floor level of more than 3m above the pool area and outdoor kitchen) are included at Attachment No.3. These photos show the existing development at No.5, consisting of four (4) attached grouped dwellings. As observed in the photos, the eastern side of No.7 Avonmore Terrace incorporates highlight windows within the roof space, a zincalume roof addition covering the majority of the rear open space area of the dwelling, an open area containing a clothes drying area, paving for pedestrian access, garden beds containing mature trees and a limestone boundary fence;

As observed in the attached photos, the outlook resulting from the proposed pool area and outdoor kitchen would have no impact on the adjacent dwelling at 5 Princes Street. Consequently, the likelihood of any loss of privacy from the proposed outdoor kitchen and extended pool area is also negligible, given that these spaces are to have a floor level which is more than 3m lower than the level of the proposed balcony.

Therefore, with respect to the design principles of Clause 5.4.1, in relation to No.5 Princes Street the development will result in negligible overlooking of active habitable spaces and outdoor living areas and would result in minimal (if any) reduction to visual privacy for occupants of the property.

Comments from Surrounding Owners

An e-mail from the Town dated 9th March 2018 to the proponent outlined the comments made by submitters during the advertising process. It is our understanding that the submissions were from residents to the west and south of the subject site.

The points provided in the summary from the Town are detailed below (in italics), together with our response to each:

- *The two-storey rear extension will have a detrimental and unnecessary impact on views of significance.*

Based upon the direction of views to the west, this submission most likely originated from one of the two dwellings within No.5 Avonmore Terrace which are adjacent to the common boundary with No.7. There are two multiple dwellings within No.5 which each incorporate an outdoor entertaining area as shown in the images within Attachment 4. Accordingly, the portion of the development subject to this comment would be the proposed library and upper floor balcony.

The proposed wall height of the modified proposed development in this location is 5.364m from the existing ground level, which is approximately 1.3m lower than the existing south facing wall of the dwelling. This has



been achieved through reducing the floor level of the ground floor and upper floor by 686mm each. In conjunction with the roof pitch of approximately 36 degrees and owing to the floor levels of the dwellings within the neighbouring No.5 Avonmore Terrace being between 1.7m and 2.2m higher than the corresponding levels at No.7, the proposed development in this location would have minimal impact on the north-western ocean outlook from the outdoor entertaining areas of the multiple dwellings at No.5 Avonmore Terrace.

Consequently, the development proposed in this location represents a modest expansion of the dwelling and would not result in any undue adverse impacts to the north-westerly ocean views from the dwellings at No.5 Avonmore Terrace.

- *The rear extension will overlook the surrounding neighbours' outdoor entertaining areas creating privacy issues and loss of amenity.*

The proposed bedroom and library do not include any openings to the south, meaning that the development would not result in any loss of privacy to the dwellings on No.5 Avonmore Terrace. The bedroom and library is to be setback 4.5m from the western boundary with privacy screening also proposed to the opening on the western side, thereby satisfying the deemed to comply standards detailed within Clause 5.4.1 of the R-Codes relating to visual privacy.

- *The extension is oversized and will tower over the surrounding neighbouring dwellings creating unnecessary bulk and scale.*

As detailed elsewhere within this submission:

- Aside from the location of the proposed balcony to the northern boundary, the proposal does not exceed the 8.5m maximum height specified in Clause 5.7.5 of LPS3;
- The proposed balcony to the northern boundary represents a total height of 9.26m in the location of the pitched roof. The balcony is to be positioned over 8m from the northern side boundary to Princes Road and will present as an open structure to the northern and western boundaries, thereby reducing its bulk and scale;
- The wall of the proposed bedroom and library extension in proximity to the southern side boundary is approximately 1.3m lower than the existing south facing wall of the dwelling. This has been achieved through reducing the floor level of the ground floor and upper floor by 686mm each. In conjunction with the roof pitch of approximately 36 degrees, this would minimise any potential bulk and scale impacts; and
- The deemed-to-comply open space standards specified for the R30 density coding of the R-Codes are well exceeded within the development.

In addition to the above, Attachment 2 contains 3D images of the proposed development which demonstrate that the scale of the development is consistent with its surroundings. Also illustrated at Attachment 5 is a photo of the facades of Nos. 5 and 7 Avonmore Terrace together with a 3D image of the same view with the proposed



development included. Within both images, it is clearly evident that the development at No.5 is more substantial in scale than the development proposed at No.7.

Please note that the 3D images illustrating the appearance from Princes Street are yet to be updated to incorporate the updated development adjacent to the southern boundary. These plans are currently being prepared and will be provided to the Town shortly, however this component of the proposal is largely in the background of the images and would not represent a prominent component of the streetscape in this location.

- *The additional height required to maintain the existing finished floor levels is excessive and does not meet the aims and provisions of the Town's Local Planning Scheme No. 3.*

As previously noted, the location of increased height is positioned to the north of the lot where it is situated away from immediately adjoining dwellings. In addition, the amended proposal incorporates a reduction to the ground and upper floor levels of 686mm in comparison to the existing dwelling, thereby minimising the scale of the development to the southern boundary. An assessment of the proposal against the provisions of Clause 5.7.5 of the Town's LPS3 demonstrates that the relevant provisions are suitably addressed within the proposal.

- *The proposed extension will overshadow the southern neighbours' properties reducing the amount winter northern light.*

The extent of overshadowing arising from the existing and proposed development is within the relevant deemed-to-comply standard specified in the R-Codes.

- *The proposed extension will exacerbate the noise nuisance experience by neighbours.*

The proponent is not aware of any noise nuisance presently experienced by neighbours. Furthermore, it is not clear how the proposal would exacerbate any such nuisance. The proposed balcony represents the alteration/expansion of existing structures, with the northern balcony separated from the southern boundary by the proposed library thereby minimising any potential noise impact.

Summary

The above submission incorporates a detailed assessment of the proposal against the Town's LPS3 and also the Residential Design Codes. As demonstrated above and within the associated supporting material, the proposal satisfies the relevant provisions within Clause 5.7.5 of the Town's Local Planning Scheme No. 3 (relating to building height) and also the design principles from Clause 5.4.1 of the Residential Design Codes relating to visual privacy.



We trust that this provides a greater understanding of the development proposed and will assist in achieving the prompt and favourable determination of the application. Should you require any further information or clarification in relation to this matter, please contact Jeremy Hofland on 9221 1991.

Yours faithfully,

Jeremy Hofland
Rowe Group



Attachment One

Updated Development Plans

BEN MILLAR

I, BEN CAMERON MILLAR, Licensed Surveyor certify that the boundaries indicated on this plan and the survey were performed in accordance with the provisions of the LICENSED SURVEYORS REGULATIONS 1961.

NOTES:
 CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
 REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
 ALLOW FOR SMOKE DETECTORS.
 CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
 ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
 ALL AREAS ARE APPROXIMATE ONLY.
 MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
 OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
 DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
 DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
 LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
 CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.

POWER

CONSUMER POLE	○ CP
POWER POLE	○ PP
LIGHT POLE	○ LP
STAY POLE	○ SP
S. WIRE ANCHOR	○ SWA
U/G CABLE BOX	⊗
CABLE M/H	⊗
CABLE DOME	⊗
POWER BOX	⊗
GAS	
GAS MARKER	⊗ GM
GAS METER	□ GM
GAS VALVE	○ GV

SEWERAGE

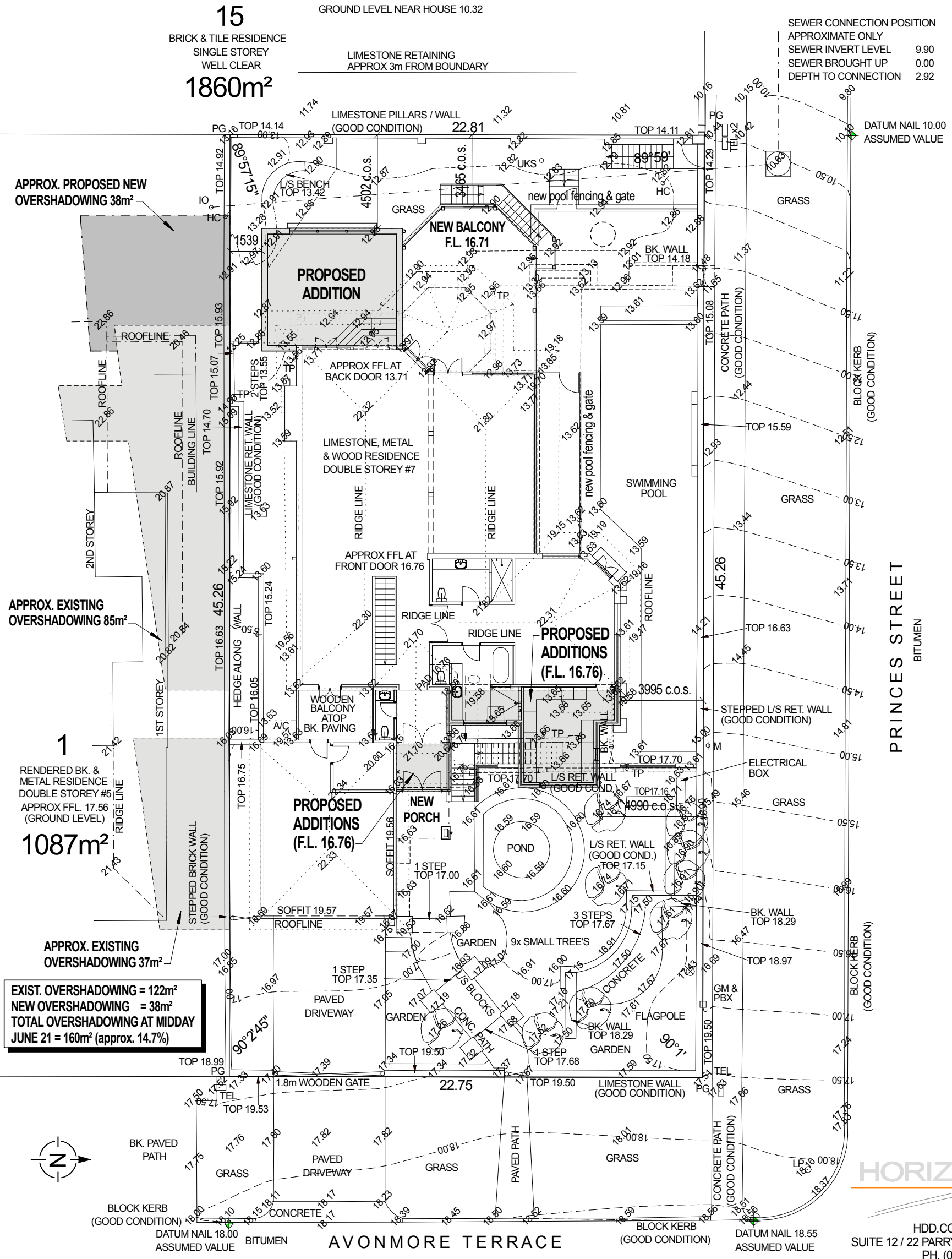
SEWER MANHOLE	⊗
INSPECT. SHAFT	○ IS
INSPECT. OPENING	○ IO
HOUSE CONNECTION	○ HC
TELSTRA	
TELSTRA MARKER	⊗ T
TELSTRA PIT	□ TEL
TELSTRA MH	⊗
DRAINAGE	
SW MANHOLE	⊗ DMH
GRATE	⊗
SIDE ENTRY PIT	⊗
GRATE	⊗

WATER

STOP VALVE	○ SV
HYDRANT	○ HY
FLUSH POINT	○ FP
WATER TAP	○ TP
WATER MARKER	⊗ W
WATER METER	⊗ M
SURVEY	
PEG FOUND	○ PF
UNKNOWN SERVICE	○ UKS
PEG GONE	PG
CONTROL POINT	⊗
DATUM	⊗
GATE	⊗

LOT RECORDS

STATUS	LOCATED	AVAILABLE	NO SERVICE	CONFIRM
LOT SERVICE				
WATER	✓			
SEWERAGE	✓			
GAS	✓			
TELSTRA	✓			
DRAINAGE				✓
POWER U/G	✓			
O/H				✓
AREA:	ESTAB. 08/1913			
COASTAL DISTANCE	250m			
LOT:	37			
AREA:	1031m ²			
APPROX. AHD	+ 9.93m			
SERVICES MARKED CONFIRM REQUIRE BUILDER / CLIENT TO CONFIRM POSITION & / OR AVAILABILITY ON SITE. APPROXIMATE AHD CONNECTION ONLY. HEIGHT RESTRICTIONS REQUIRE ACCURATE GEODETIC CONNECTION.				



APPROX. PROPOSED NEW OVERSHADOWING 38m²

APPROX. EXISTING OVERSHADOWING 85m²

1087m²

APPROX. EXISTING OVERSHADOWING 37m²

EXIST. OVERSHADOWING = 122m²
 NEW OVERSHADOWING = 38m²
 TOTAL OVERSHADOWING AT MIDDAY JUNE 21 = 160m² (approx. 14.7%)

SEWER CONNECTION POSITION

APPROXIMATE ONLY	
SEWER INVERT LEVEL	9.90
SEWER BROUGHT UP	0.00
DEPTH TO CONNECTION	2.92

PRICES STREET
BITUMEN

AVONMORE TERRACE

SITE PLAN scale 1:200



HDD.COM.AU PTY. LTD. ACN 099 107 516
 SUITE 12 / 22 PARRY AVE. BATEMAN 6150 WESTERN AUSTRALIA
 PH. (08)9332 2022 MOB. 0418 958 959
 E-MAIL design@hdd.com.au Web Page www.hdd.com.au

THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017

GROUND COVER
SANDY / GRASS

TITLE : FEATURE SURVEY & BOUNDARY IDENTIFICATION
 CLIENT : DAVID PROSSER

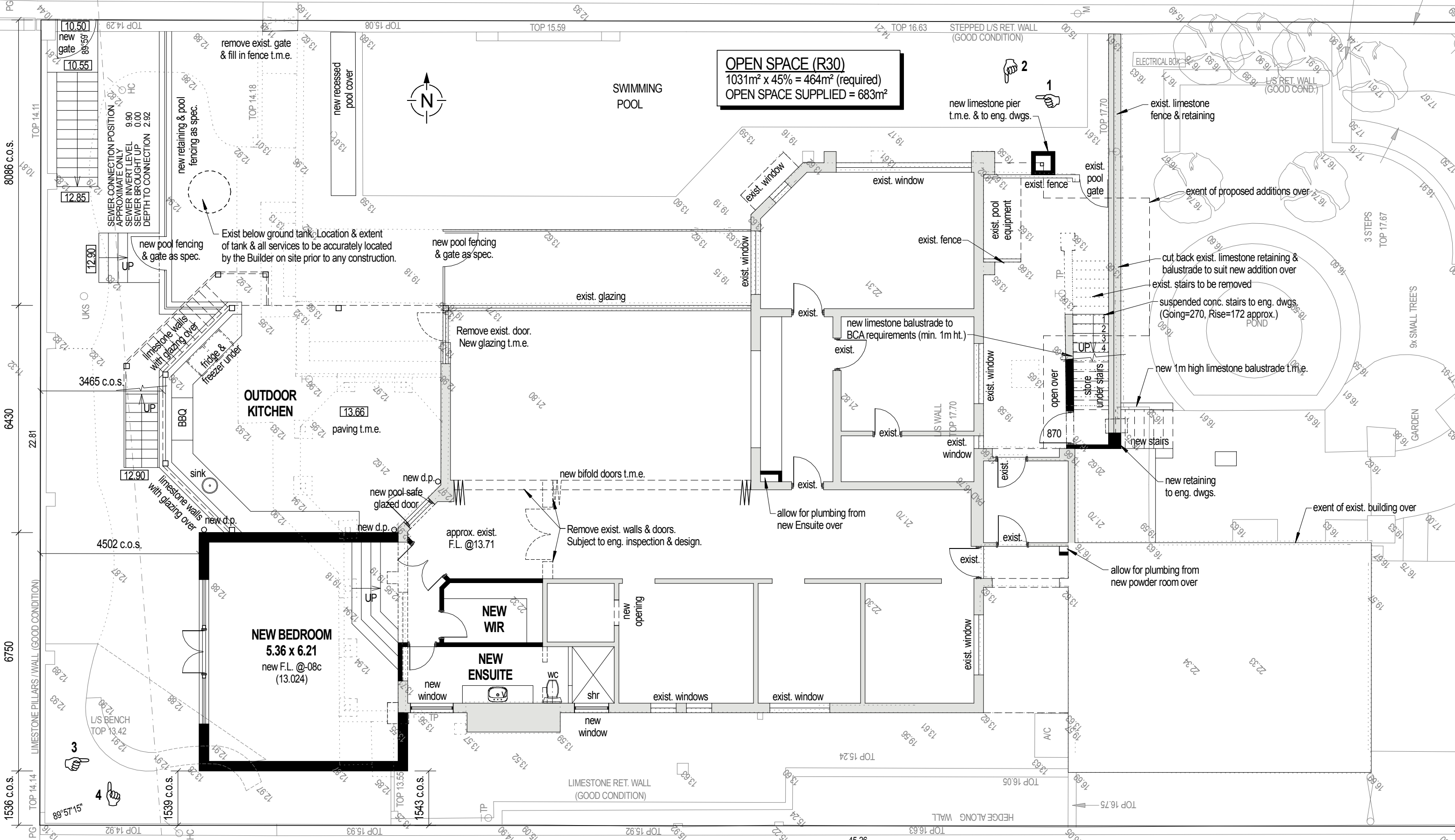
P: (08) 9354 8511
 W: www.linkssurveying.com.au
 E: info@linkssurveying.com.au

NOTE
 This PLAN is current at the Surveyed Date, NOT FOR CONSTRUCTION purposes without site corroboration. Check Landgate Plan & Certificate of Title for Encumbrances including Easements, Caveats, Covenants etc. All SERVICES require verification from the relevant AUTHORITY - suggest contacting "Dial Before You Dig" for underground services & a site inspection.

LOT : 37 (#7) AVONMORE TERRACE, COTTESLOE
 AUTHORITY : TOWN OF COTTESLOE PLAN : 3392 C/T : 1763/129

UBD REF : 305 Q 5 GPS : S 32.00662° E 115.75371°

SHEET 1 of 1	HORIZON DESIGN REF 2site1711-1670L SK1	SURVEYED 18/10/17	SCALE 1: 200	DWG No 32125001	REV A
--------------	--	-------------------	--------------	-----------------	-------



OPEN SPACE (R30)
 1031m² x 45% = 464m² (required)
 OPEN SPACE SUPPLIED = 683m²

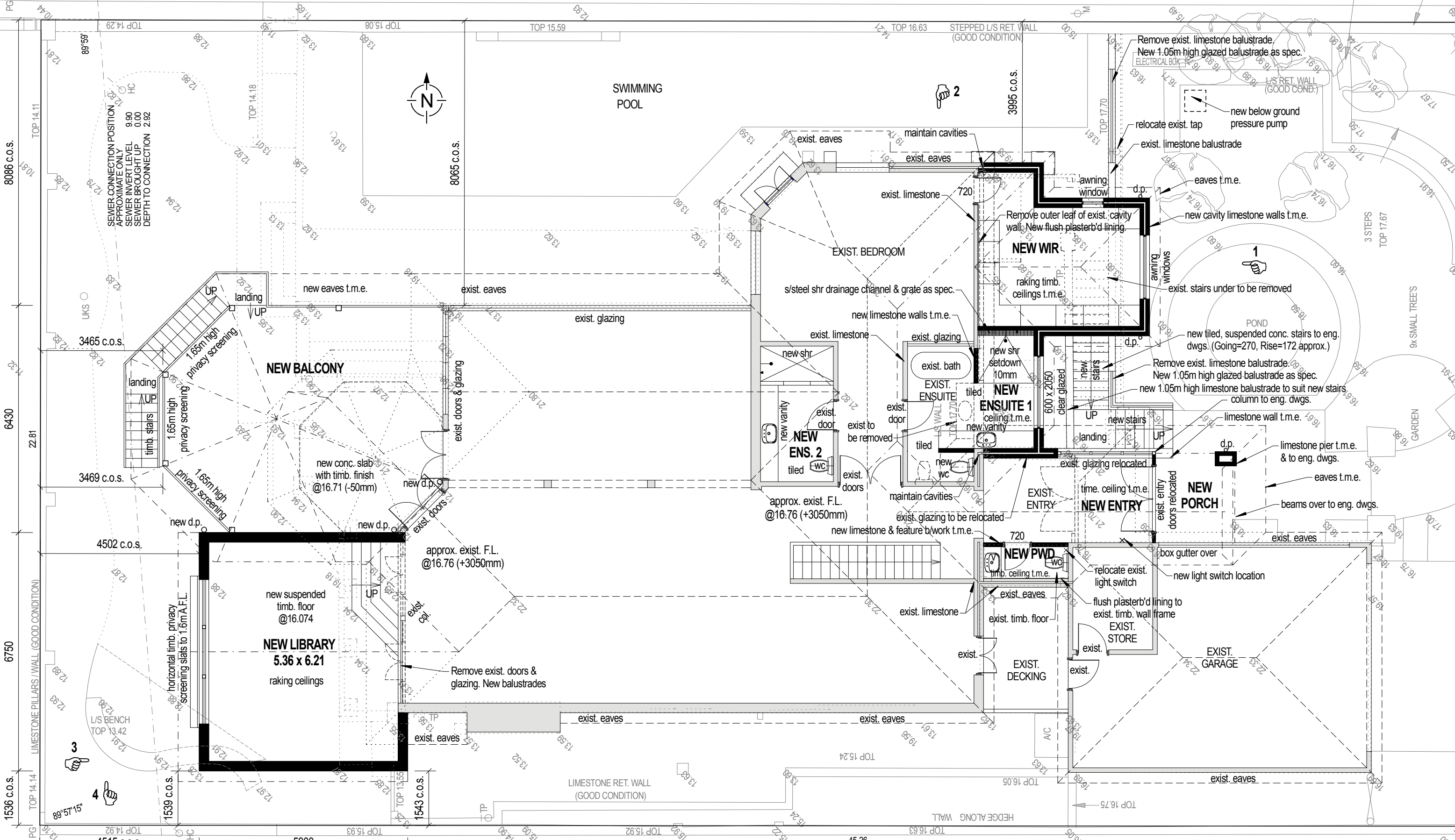
GROUND FLOOR PLAN scale 1:100

**PROPOSED ADDITIONS
 ON LOT 37, No.7 AVONMORE TERRACE
 COTTESLOE**
PRELIMINARY ONLY



DRAWN CBL	DATE JUNE 2018	SHEET NO. SK2
SCALE as shown	JOB NO. 2sk1711-1670L	PRINT 2/08/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		

NOTES:
 CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
 REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
 ALLOW FOR SMOKE DETECTORS.
 CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
 ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
 ALL AREAS ARE APPROXIMATE ONLY.
 MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
 OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
 DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
 DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
 LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
 CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.



UPPER FLOOR PLAN scale 1:100

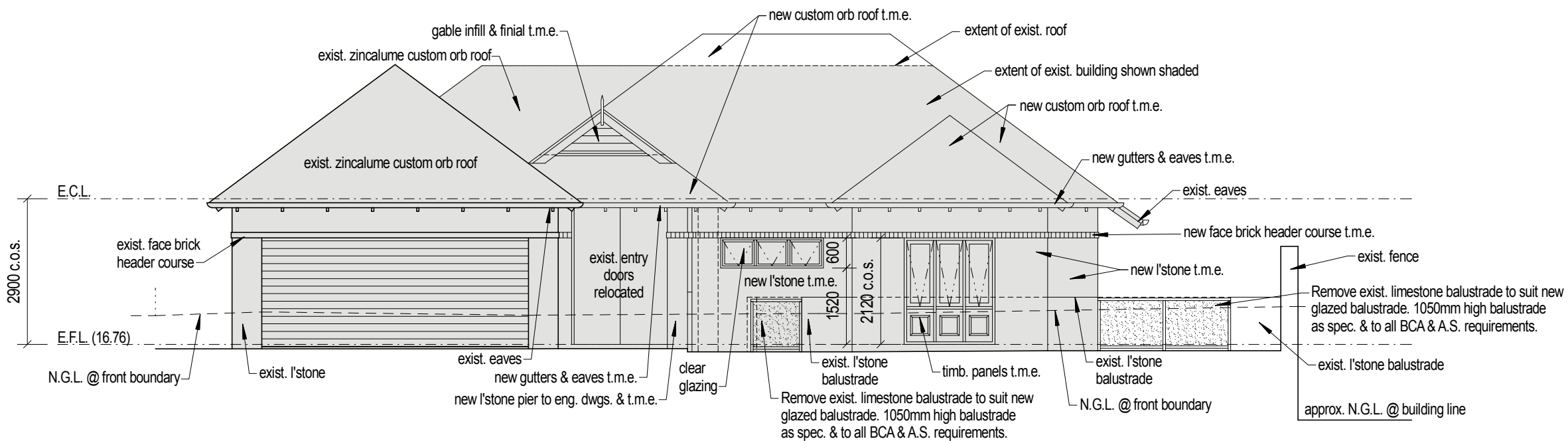
**PROPOSED ADDITIONS
ON LOT 37, No.7 AVONMORE TERRACE
COTTESLOE**

PRELIMINARY ONLY

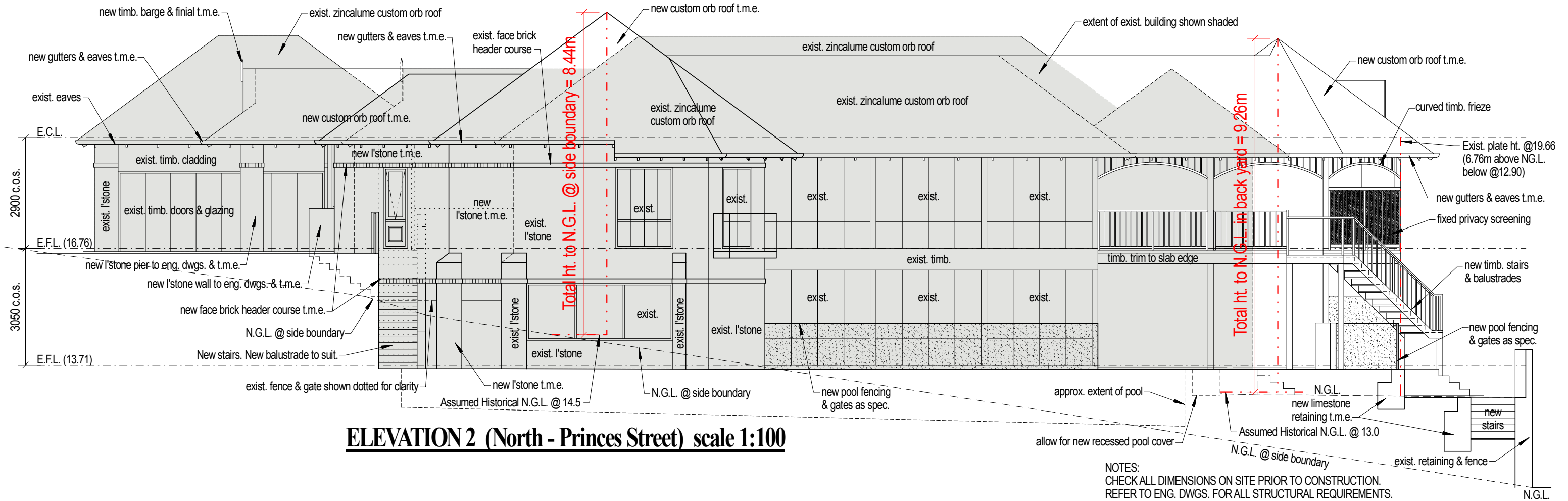


DRAWN CBL	DATE JUNE 2018	SHEET NO. SK3
SCALE as shown	JOB NO. 2sk1711-1670L	PRINT 2/08/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		

NOTES:
CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
ALLOW FOR SMOKE DETECTORS.
CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
ALL AREAS ARE APPROXIMATE ONLY.
MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.

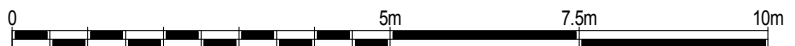


ELEVATION 1 (East - Avonmore Terrace) scale 1:100



ELEVATION 2 (North - Princes Street) scale 1:100

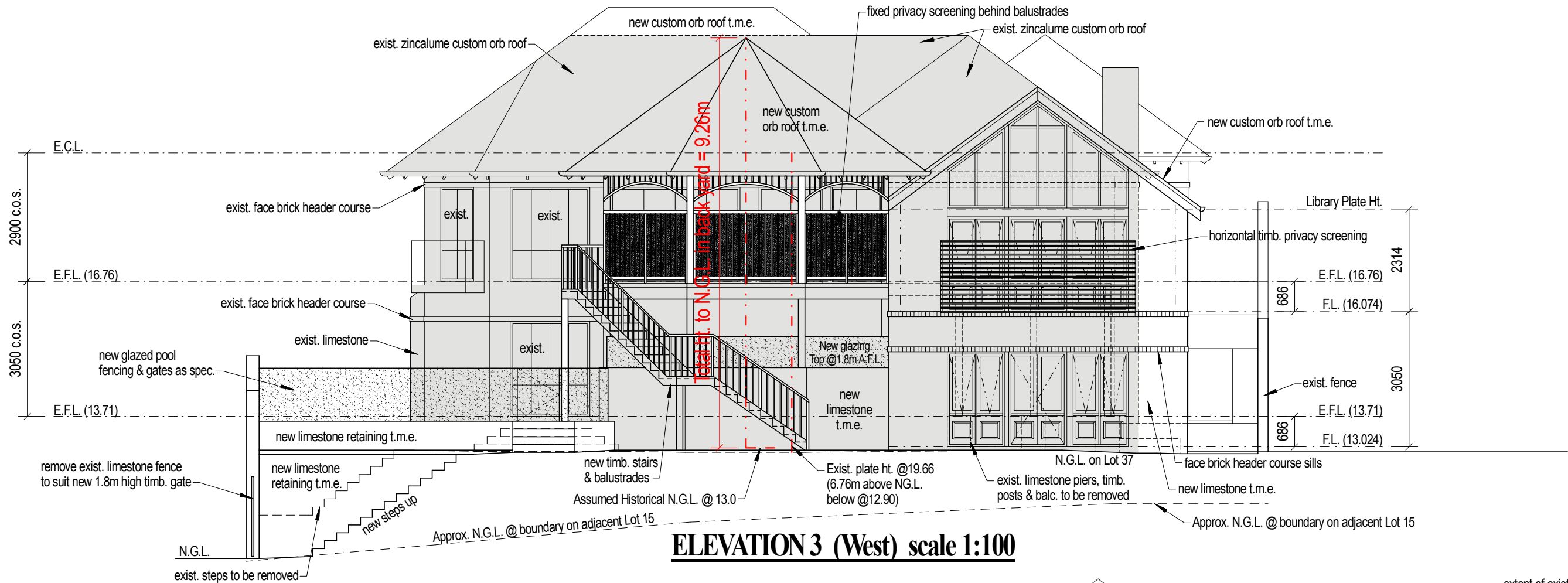
NOTES:
 CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
 REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
 ALLOW FOR SMOKE DETECTORS.
 CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
 ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
 ALL AREAS ARE APPROXIMATE ONLY.
 MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
 OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
 DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
 DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION
 OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
 LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED
 BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
 CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.



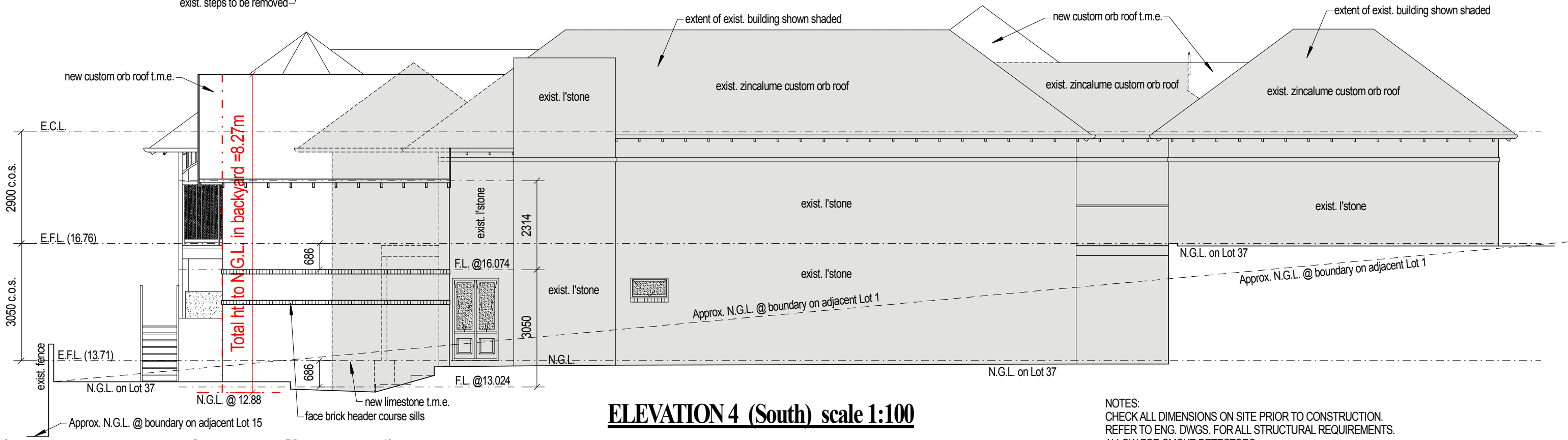
**PROPOSED ADDITIONS
 ON LOT 37, No.7 AVONMORE TERRACE
 COTTESLOE**
PRELIMINARY ONLY



DRAWN CBL	DATE JUNE 2018	SHEET NO. SK4
SCALE as shown	JOB NO. 2sk1711-1670L	PRINT 2/08/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		



ELEVATION 3 (West) scale 1:100



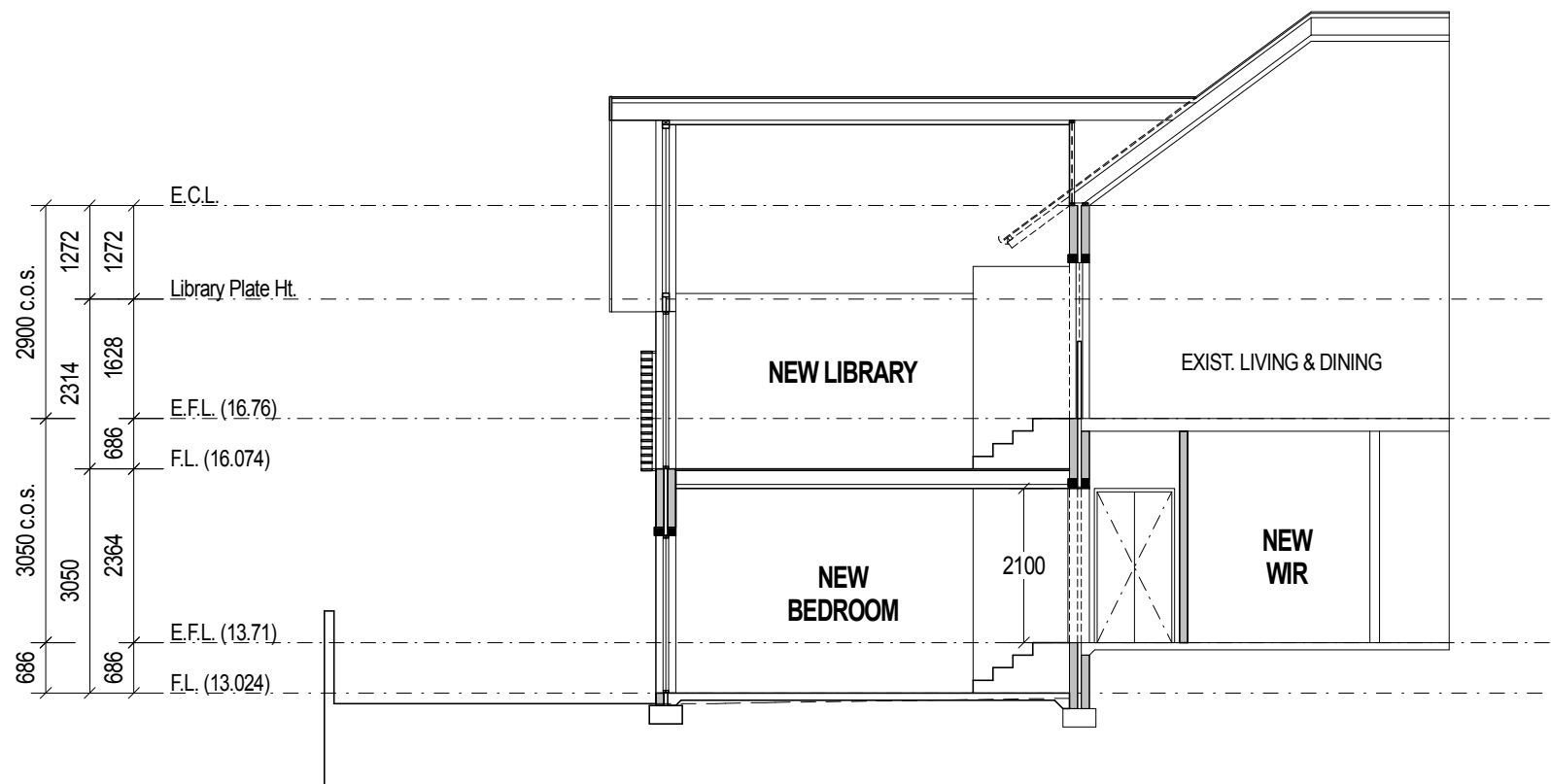
ELEVATION 4 (South) scale 1:100

NOTES:
 CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
 REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
 ALLOW FOR SMOKE DETECTORS.
 CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
 ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
 ALL AREAS ARE APPROXIMATE ONLY.
 MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
 OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
 DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
 DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION
 OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
 LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED
 BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
 CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.

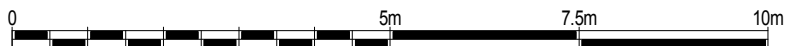
**PROPOSED ADDITIONS
 ON LOT 37, No.7 AVONMORE TERRACE
 COTTESLOE**
PRELIMINARY ONLY



DRAWN CBL	DATE JUNE 2018	SHEET NO. SK5
SCALE as shown	JOB NO. 2sk1711-1670L	PRINT 2/08/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		



TYPICAL SECTION scale 1:100



**PROPOSED ADDITIONS
ON LOT 37, No.7 AVONMORE TERRACE
COTTESLOE**

PRELIMINARY ONLY



DRAWN CBL	DATE JUNE 2018	SHEET NO. SK6
SCALE as shown	JOB NO. 2sk1711-1670L	PRINT 2/08/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		

NOTES:
CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
ALLOW FOR SMOKE DETECTORS.
CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
ALL AREAS ARE APPROXIMATE ONLY.
MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.



Attachment Two

3D images of the proposed development











Attachment Three

Photo taken from the existing north-western balcony at No.7 Avonmore Terrace,
looking west over No.5 Princes Street





Attachment Four

Photo taken from existing south-western balcony at No.7 Avonmore Terrace, looking south over No.5 Avonmore Terrace





Attachment Five

Street view of Nos. 5 and 7 Avonmore Terrace showing existing and proposed height



Existing street view - Nos. 5 & 7 Avonmore Terrace



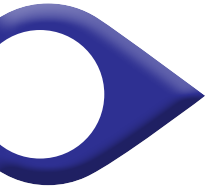
Proposed street view - Nos. 5 & 7 Avonmore Terrace



A Visual Appraisal of Proposed Western Extension to 7 Avonmore Terrace, Cottesloe.

Prepared by EPCAD Pty Ltd
For Rowe Group

Issue 02
28th May 2020



Document Control

EPCAD reports are prepared for a specific purpose and for specific client requirements. EPCAD is not liable for any loss or damage incurred by any person relying on such reports or advice, except where they are created by EPCAD expressly for that person.

Nothing in these terms shall be taken as excluding, limiting or modifying any term, condition or warranty implied by any applicable act of parliament that cannot be so affected. To the extent that such a term, condition or warranty is implied, the liability of EPCAD for breach of that term, condition or warranty is, where permitted, limited at the option of EPCAD to: The supplying of the relevant goods or services again; or the payment of the cost of having the relevant goods or services supplied again.

Job Number	B1050
Document Title	7 Avonmore Terrace, Cottesloe - A Visual Appraisal of Proposed Western Extension
File Name	B1050_Avonmore Tce_Visual Appraisal_260520
Author	EPCAD Pty Ltd
Client	Rowe Group

Glossary of Terms Featured in This Report:

EPCAD / The Landscape Architect: EPCAD Pty Ltd, Landscape Architects; Author of this report and conductor of this Visual Impact Assessment.

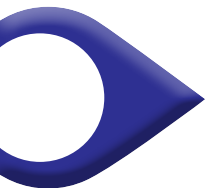
Rowe Group / The Client: The client for which this assessment was conducted for.

The site / The subject site / The development site: The area of land on which the proposed extension is located.

Viewing Locations / View Locations / Key Views: The locations where photos were taken from.

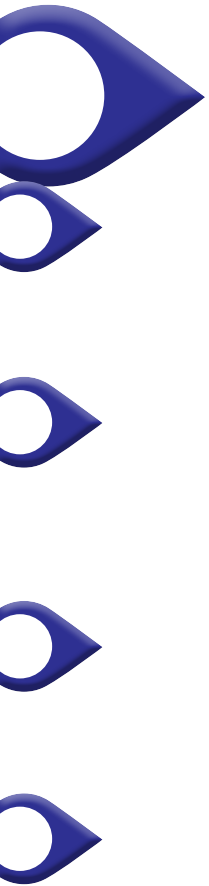
ZVI: Zones of Visual Influence

Issue	Issued To	Date	Reviewed
01	Rowe Group	270520	HM
02	Rowe Group	280520	HM



Contents:

1 Introduction	4
2 Assessment of Urban Character	6
3 The Proposed Development	8
4 Potential Visual Impacts	9
4.1 General	9
4.2 Key Local Views	10
4.3 Likely Changes to the Character and Views of Neighbour	10
5 The Capability to Integrate Development in the Neighbourhood	15
5.1 The Neighbourhood and Streetscape Context	15
5.2 The Planning Context	15
6 Measures to Reduce Impacts	19
7 Conclusions	21



1. Introduction

1.1 EPCAD were commissioned by Rowe Group to conduct a Visual Assessment in relation to the proposed development located on Avonmore Terrace, Cottesloe. The development provides a two storey westward extension to an existing residence.

1.2 This assessment was carried out to determine the proposed development's visual effects on the amenity of the neighbouring property and the public amenity within the locality. The subject site is on the corner of Princess Street and Avonmore Terrace.

1.3 This study is to ascertain the visual amenity and characteristics of the locality and to evaluate the likely effects of the proposal within the context of the overall urban landscape, its character and values.

1.4 Guidance for undertaking a visual assessment and landscape assessments, is provided by the state planning authority, the Department of Planning & Western Australian Planning Commission within the document, Visual Landscape Planning in Western Australia; 2007 (VLPWA). EPCAD has undertaken an appraisal of the area and proposal accordance with the principles set out in the VLPWA using three methods;

- Site survey and analysis, by vehicle and walking
- Desktop study of cartographic and photographic material
- Survey and computer modelling of the site and the immediate surrounding urban landscape



1.5 This report of opinion is based upon the process of assessment detailed in the VLPWA being;

- Describe existing visual character of the site and surrounds and determine visual objectives
- Describe proposed Development
- Describe and evaluate potential visual impacts
- Assess the capacity of the landscape to accommodate change
- Identify measures that reduce impacts

1.6 The Desktop study included the analysis of local mapping and aerial imagery to assess the general land uses, urban form, vegetation and topography of the local area around the subject site. This was conducted at three different scales. The first analysis was conducted on the immediate area round the subject site with a specific focus on the neighbouring property. The second analysis took into consideration the local street views, and the third reflected on the broader neighbourhood around the subject site.

1.7 The onsite appraisal included a thorough walk of the subject property and surrounding streets and importantly a visit to the accessible areas of the neighbouring properties.

1.8 The subject proposal is designed to be a structure that is in the same style and character of the existing building, extending the west elevation out into the garden. The roof structure extending as a gable and feature turret style roof over a broad balcony.



Figure 1: Aerial of subject site and adjacent properties.





2. Assessment of Urban Character

Describe existing visual character of the site and surrounds and determine visual objectives

2.1 The subject site and adjacent property are located within a local neighbourhood which is characterized by large residential properties of diverse styles, set within a framework of broad streets on a steeply sloping site. There is not a distinctive local building characteristic although the common aspect being that buildings could be said to be often ostentatious and of quality with a strong street presence. The character of the locality is not homogenous. It is a changing and evolving character with recent changes to buildings including on the immediate western property. This creates a mixture of styles, materials and forms. Buildings are also generally multi storey of two to three levels, some with undercroft parking utilising the level changes in properties. Unlike much of Cottesloe, this particular locality does not have large street trees. The immediate streetscape is broad and open with grass verges. The terrain is steeply sloping to the west. Properties generally have masonry front or side walls.

2.2 The views of significance in the locality are obtained from any elevated position within the public domain of Princess Street, looking west to the ocean. The lack of street trees and broad open street corridor enables vistas to be obtained along the street from both vehicles and pedestrians.

2.3 Value of the Site(s)

2.3.1 The key aspect of this appraisal is the rear of the property no 7 Avonmore Terrace and the adjacent site 5 Avonmore Terrace. An understanding of the existing characteristics of these areas is needed to assess the effects of the proposed extension.

The rear garden is a simple level terrace that sits high above the road behind a masonry retaining wall and boundary wall. It is not seen from the public realm. The boundary walls enclose the space. Perimeter planting surround a lawn that takes up most of the space. A small higher terraced planting area in the south west corner reflects the earthworks that would have been undertaken to form the lot. The southern boundary is formed by a high masonry retaining wall that forms the interface with the rear garden of the neighbouring 5 Avonmore Terrace. In front of the wall there are a number of evergreen Cottonwood trees (*Hibiscus tiliaceus*). These form an existing loose high hedge of approximately 4.5m at present and have been pruned.



Figure 2: View looking south over the rear garden showing lawn, retaining wall to major level change and trees.

2.3.2 The character of the adjacent property's rear garden is similar, being a simple rectangular lawn contained by perimeter walling. The critical difference being that the dividing wall on the northern boundary, above the retaining wall, is low facilitating views into and over the subject property's garden.

2.4 Visual Objectives

Within the context of development in a suburban residential neighbourhood, visual objectives should be guided by the policy framework which seeks to maintain the values and characteristics of the place and protect views of significance.



Figure 3: Low boundary wall atop the retaining wall facilitates views over 7 Avonmore Tce rear garden.



Figure 4: View looking north over the rear garden towards Princess Street.



Figure 5: Looking south over boundary wall.



3. The Proposed Development

Describe proposed Development

3.1 The proposed extension to the rear of the existing residence extends westward over two storeys. The proposed structure utilises the same materials and building character of the existing with modifications to the roof line. The roof form extends as a gable westward with the north western area echoing the existing feature, semi octagonal 'turret' roof. The extension extends the built form to 4.5m off the west boundary with a balcony to the North West extending to 3.46m from the boundary.

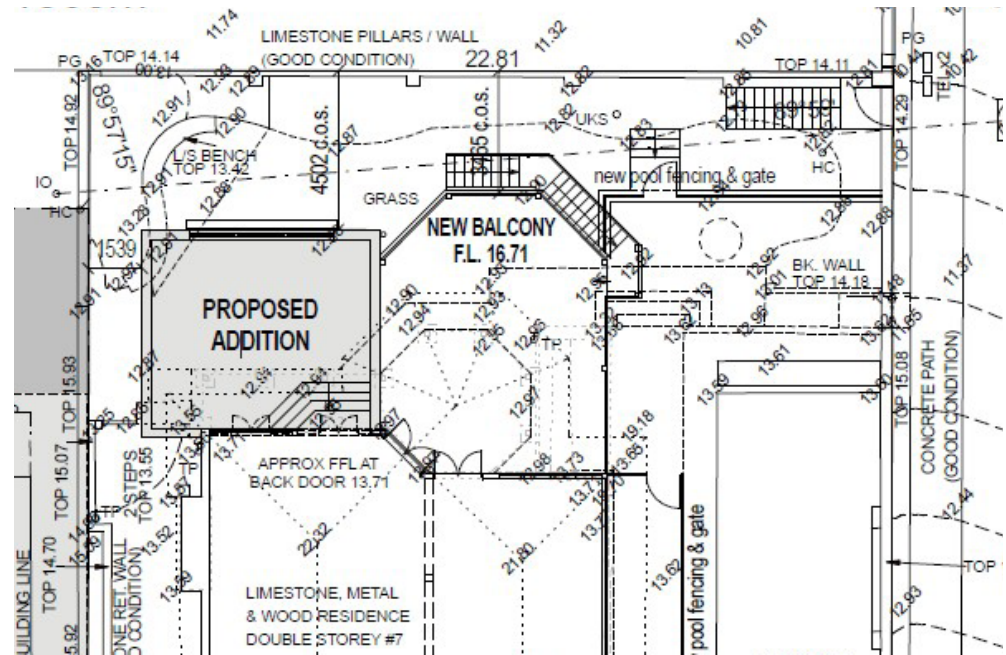


Figure 6:

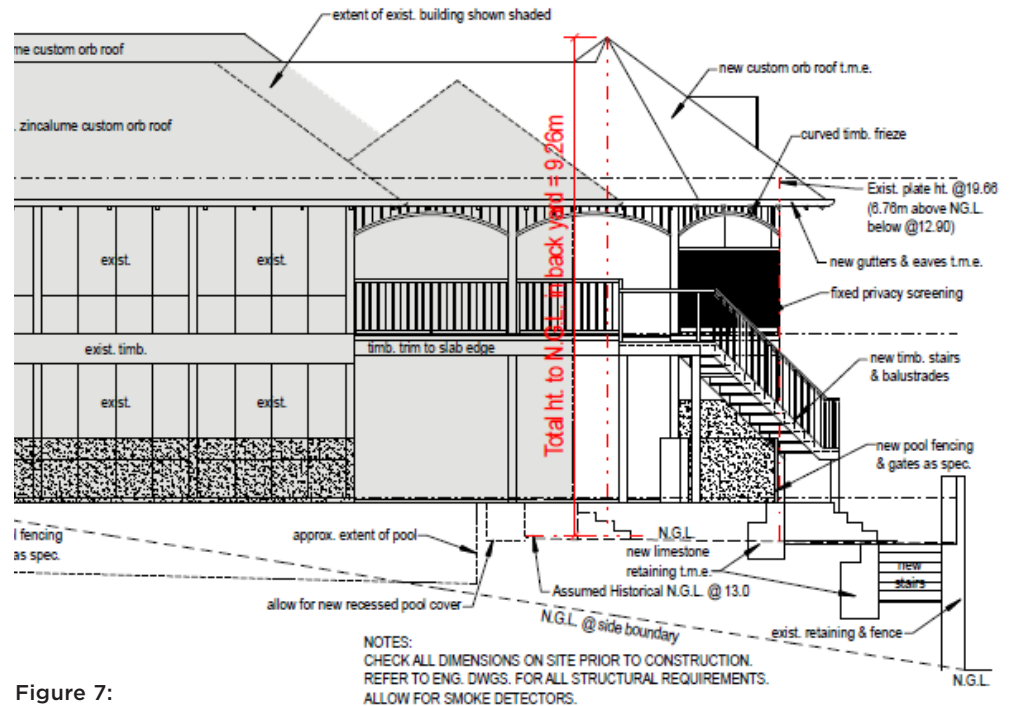


Figure 7:



4. Potential Visual Impacts

Describe and evaluate potential visual impacts

4.1 General

4.1.1 The rear building extension is proposed within the garden area of the residence and modestly extends the roof height. As the extension continues existing floor levels and the land and street to the north of the subject site fall away steeply to the west, the built form will be observed from the street and broader area with open views to the development being had over the top of the perimeter masonry wall. The extended residence will still appear as a component of the surrounding urban character and does not form an impedance to any views of significance. It will not change the characteristics of the streetscape as the type of architecture, materials and detailing are all similar to the existing. The extension to an existing fairly large building by bringing an elevation further forward and not changing the style, is unlikely to affect the amenity of any person in the public realm viewing it within the streetscape. The building will be seen as it is now, being a prominent structure when viewed from the north and west. The extension not changing these views in any significant way.

4.1.2 At the immediate interface with the subject site, the street level experience is the main factor in perception of the place. Due to the existing perimeter wall and the immediately abutting footpath, it will be difficult to observe the proposal. No views are static as a pedestrian and an observer is able to look up and see the overall height of a building from across the street, however the general behaviour is to view at lower levels. The proposal when viewed from the footpaths on Princess Street are not views of significance nor does the proposal impede views to vistas or important visual elements.



Figure 8: Looking south across Princess Street.

4.2 Key Local Views

4.2.1 The primary views of significance are those obtained down Princess Street to the West, where the absence of street trees in the vicinity of the junction with Avonmore Terrace, facilitates direct vistas of the ocean and horizon. These views can be obtained from vehicles and as a pedestrian and are unaffected by the proposed extension.

4.3 Likely changes to the views of neighbour

4.3.1 To consider the likely impacts on the private amenity of the immediately adjacent southern property, access to the garden terrace was available and this was supplemented by computer modelling from upper floor locations that were not accessible.

4.3.2 The key views experienced from these locations are the extensive broad ocean panorama, seen over the rooves of the properties lying to the west.



Figure 9:



Figure 10:



Figure 11:



Figure 13: The broad panorama when viewed from the garden terrace of the adjacent property. The panorama from the upper floor will be similar with a greater clearance over the suburbs roofscape. Note the new upper extension of the western neighbouring property that affects the panoramic views from ground level.



Figure 12:

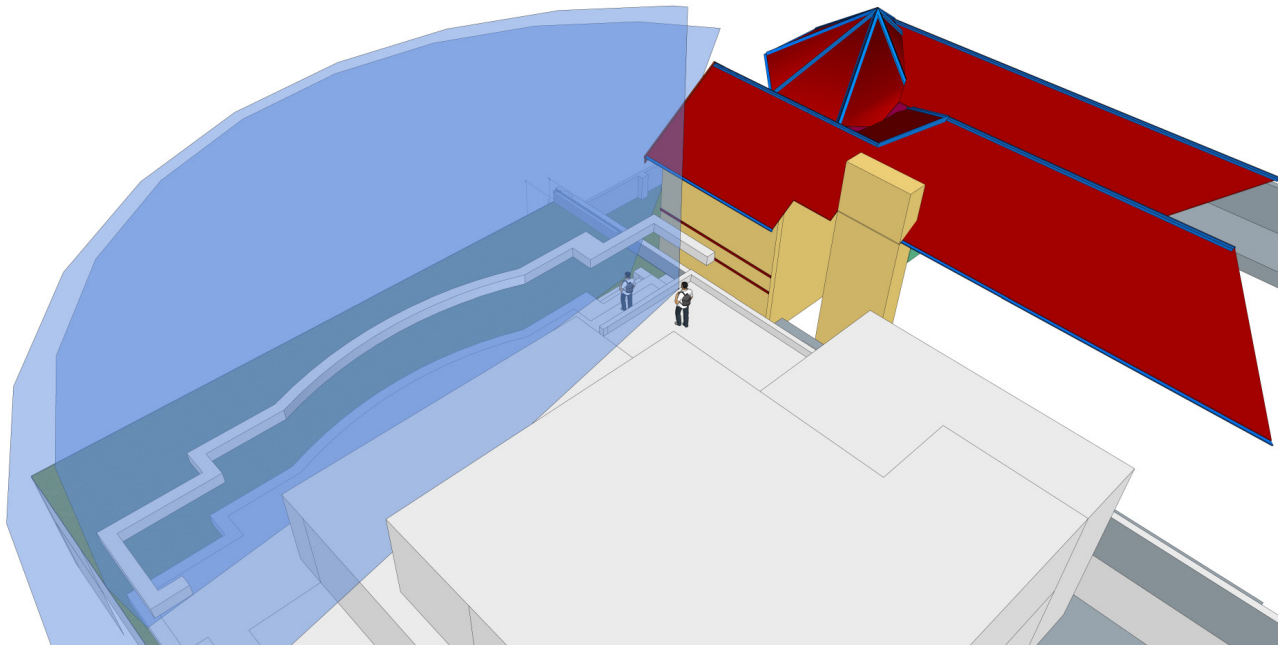


Figure 14:

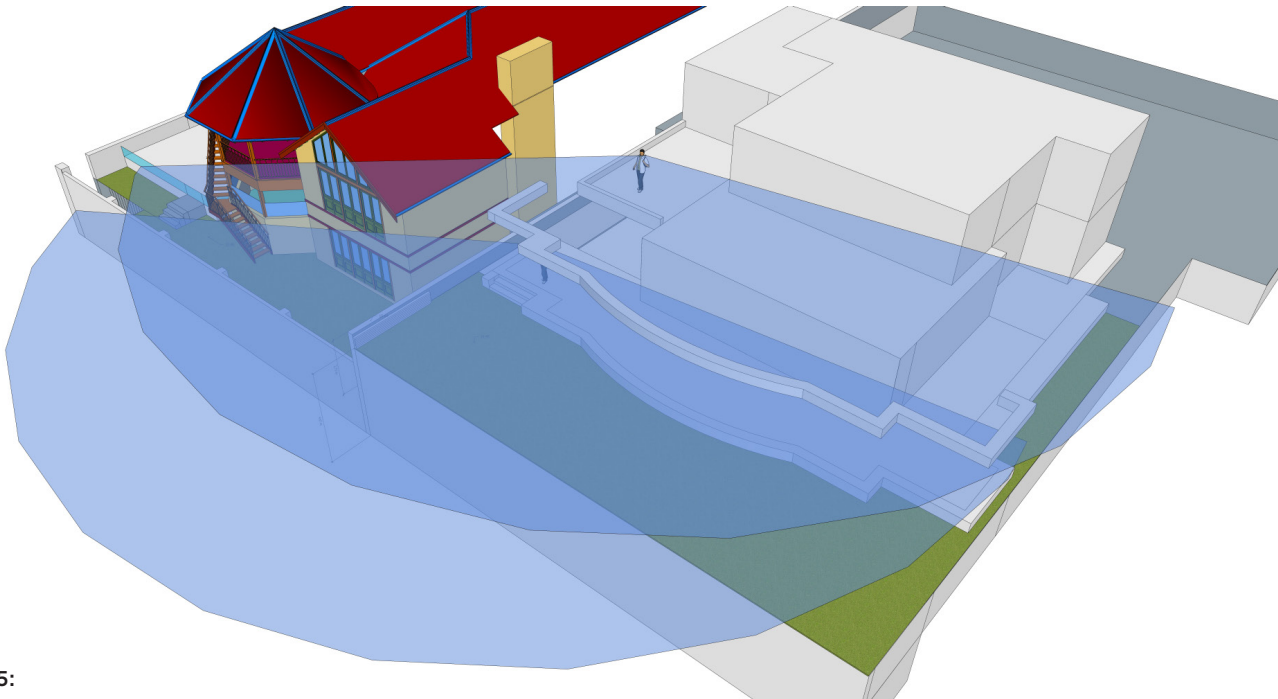


Figure 15:

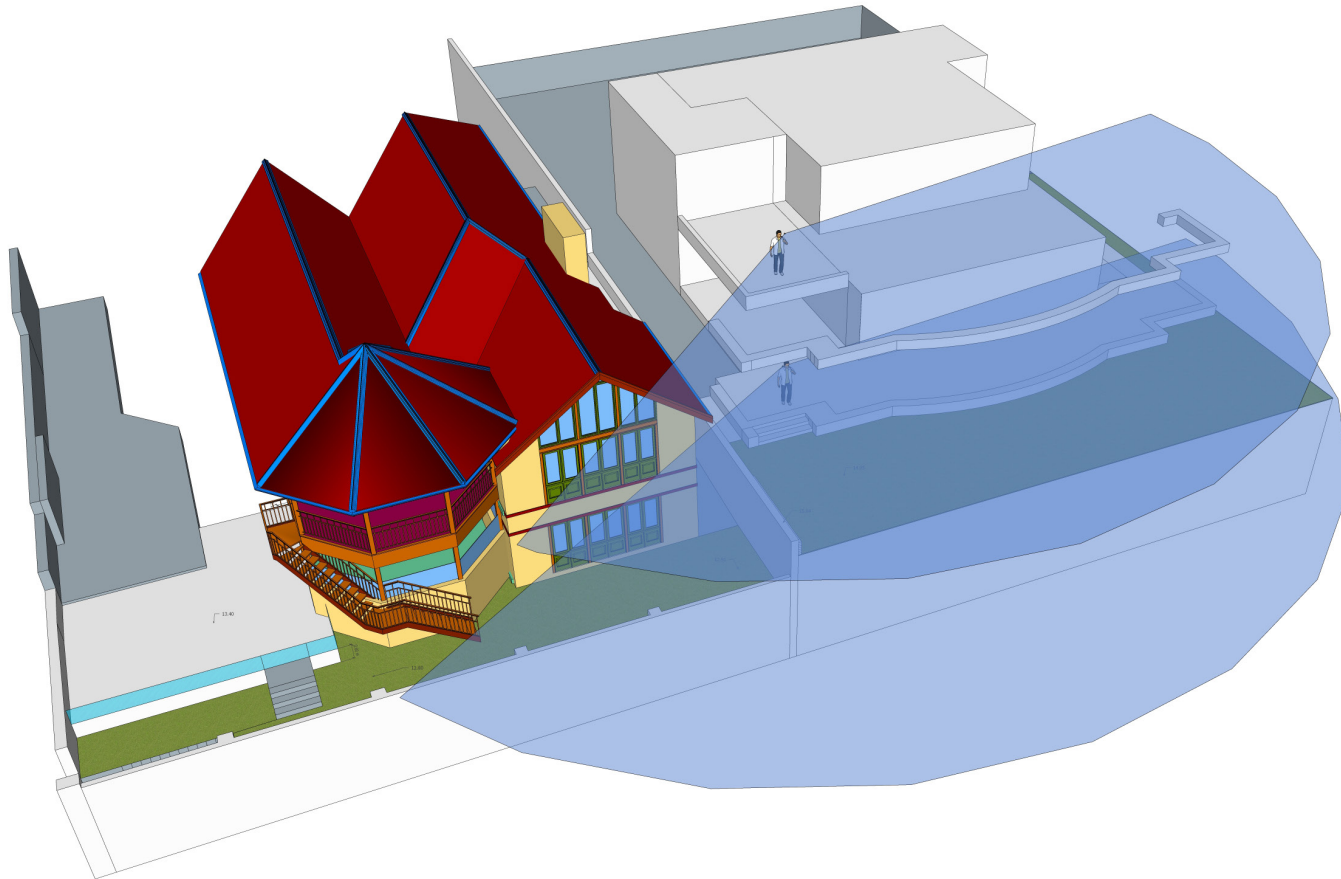


Figure 16: Computer modelling of viewshed from adjacent terraces. The panoramic view is not static and its field of view changes dependent on the precise viewing point. These illustrations represent a reasonable presentation of viewing while standing on both ground floor and 1st floor levels.



4.3.3 Due to the level difference between the properties and the low boundary wall that surmounts the retaining boundary wall, views can also be obtained to the north and north west over the top of the garden area of the subject site.

4.3.4 These more northerly views are predominantly of a different nature as they are not of the ocean and horizon but of the suburb roofs with intermittent mature trees.

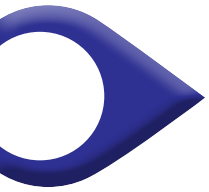
4.3.5 The extension will affect these private views. The extent of the impact needs to be considered against the primary panorama that is experienced when looking generally to the west. This broad open panorama is not affected by the proposal. The scale of the extensive views obtained from the adjacent property is extended by being able to look over the property boundary at lower levels. From the upper level views to the north and north west are similarly affected. The views from the higher viewpoint will have a greater clearance over the top of the western neighbour (recently extended) to the ocean view. These views however could be also impacted by any perimeter treatments or garden planting being established.



Figure 17:



Figure 18: View to the north, north west from garden terrace with model inserted



5. The Capability to Integrate Development in the Neighbourhood

Assess the capacity of the landscape to accommodate change

5.1 The capability of this site to accommodate change needs to be considered within the context of its physical surroundings and the policy and guidance framework.

5.2 The Neighbourhood and Streetscape Context

5.2.1 The physical context is one of topography, built form and vegetation. As previously stated, this suburban locality has not a homogeneous character. It is diverse. The steeply sloping terrain rises to the east of the site and falls away to the west. The existing large building on the subject site is not prominent when viewed from Avonmore Terrace and sits within the streetscape.

5.2.2 The rear extension will be seen from the public domain of Princess Street and within this context still will reflect the existing built form character and prominence within the neighbourhood. As such the extension sits within the existing character of the area is capable of being integrated within its broader physical context without affecting the public's amenity. It will always be observed from the public domain within the context of the steeply sloping topography and the contextual diverse built form. Mature vegetation does exist along Avonmore Terrace verges at a distance from the subject site and this will form a backdrop when viewed from more distant locations.



5.3 The Planning Context

5.3.1 The development of an extension to the dwelling will have an effect on those observing the development and planning framework provides guidance on how views and visual aspects should be considered.

5.3.2 Town of Cottesloe Local Planning Scheme No.3

1.6 - The aims of the scheme

(q) recognise the principle of the maintenance and enhancement of important views to and from public places.

5.3.3 This proposed extension maintains the existing built form character and does not affect important views from public places.

4.2.1 The objectives of the Residential zone are to –

a) encourage residential development only which is compatible with the scale and amenity of the locality;

5.7.5 In the case of proposed alterations, additions or extensions to existing dwellings in the Residential, Residential Office, Town Centre, Local Centre, Foreshore Centre and Restricted Foreshore Centre zones, the local government may vary the maximum heights specified in Table 2 and clause 5.7.2, where in its opinion warranted due the circumstances and merits of the proposal, having regard to –

d) relevant planning considerations identified in clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015;

g) access to views of significance;



10.2.2 the local government is to have due regard to such of the following matters as are in the opinion of the local government relevant to the use or development the subject of the application –

g) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;

r) the effect of the proposal on the maintenance and enhancement of important views to and from public places, including views to the public domain and views of the coastal and inland landscapes, and the need to control the position, height, setback and design of the proposal in the interest of important views to and from public places;

5.3.4 The proposed extension does not affect any important views from public places and the scale and appearance of the extension extends the existing building characteristics without affecting public amenity. The form does have a limited impact on views from the adjacent southern properties however the scale of the proposed extension and resultant scale of the overall residence is still of a similar size to the neighbouring southern properties.

5.4 State Planning Policy 7.3 - Residential Design Codes Volume 1

Building height

P6 Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:

- adequate access to direct sun into buildings and appurtenant open spaces;





- adequate daylight to major openings into habitable rooms; and
- access to views of significance.

5.5 Planning and Development (Local Planning Schemes) Regulations 2015

Clause 67 - Matters to be considered by Local Government

m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely impact of the height, bulk, scale, orientation and appearance of the development;

5.6 The proposed height of the extension will not be observed as an obtrusive element within the broader context when observed from the streets or any public reserve. The effect of height on the adjacent properties cannot be said to affect views of significance. The scale of the proposed extension and resultant scale of the overall residence is still of a similar size to the neighbouring southern properties and is not out of character with the locality.





6. Measures to Reduce Impacts

Identify measures that reduce impacts

6.1 Local

6.1.1 The changes experienced by static views in the adjacent properties garden, patio and first floor terrace, looking to the north, can be ameliorated by allowing the existing boundary trees within the subject site to attain their potential height. If these existing trees are no longer subject to pruning it is expected that they will attain a height of approximately 7 - 8m. Alternatively a substitute species could be installed that has the ability to attain a greater height if considered desirable.

6.1.2 The extension southern elevation is proposed as a masonry wall without detail. The treatment of this wall can also aid its integration into a garden landscape related to the existing trees. The wall could be fitted with a plant support trellis and be planted with appropriate climbers. This would provide a “softer” interface with the neighbouring properties.

6.1.3 It has been suggested that having a hipped roof may provide a level of amelioration to the impact on private views from the neighbouring property first floor. From the analysis and appraisal undertaken, there seems no reason to adopt this approach. The hipped roof will still impede views and the north western vista affected forms a view of the suburb and not of the broad ocean horizon panorama.



6.2 Street

6.2.1 As the proposal will not be seen as an obtrusive new element within the existing character of the neighbourhood and does not interfere with any significant views, no measures are proposed.

6.3 Neighbourhood

6.3.1 As the proposal will not be seen as an obtrusive new element within the existing character of the neighbourhood and does not interfere with any significant views, no measures are proposed.



7. Conclusions

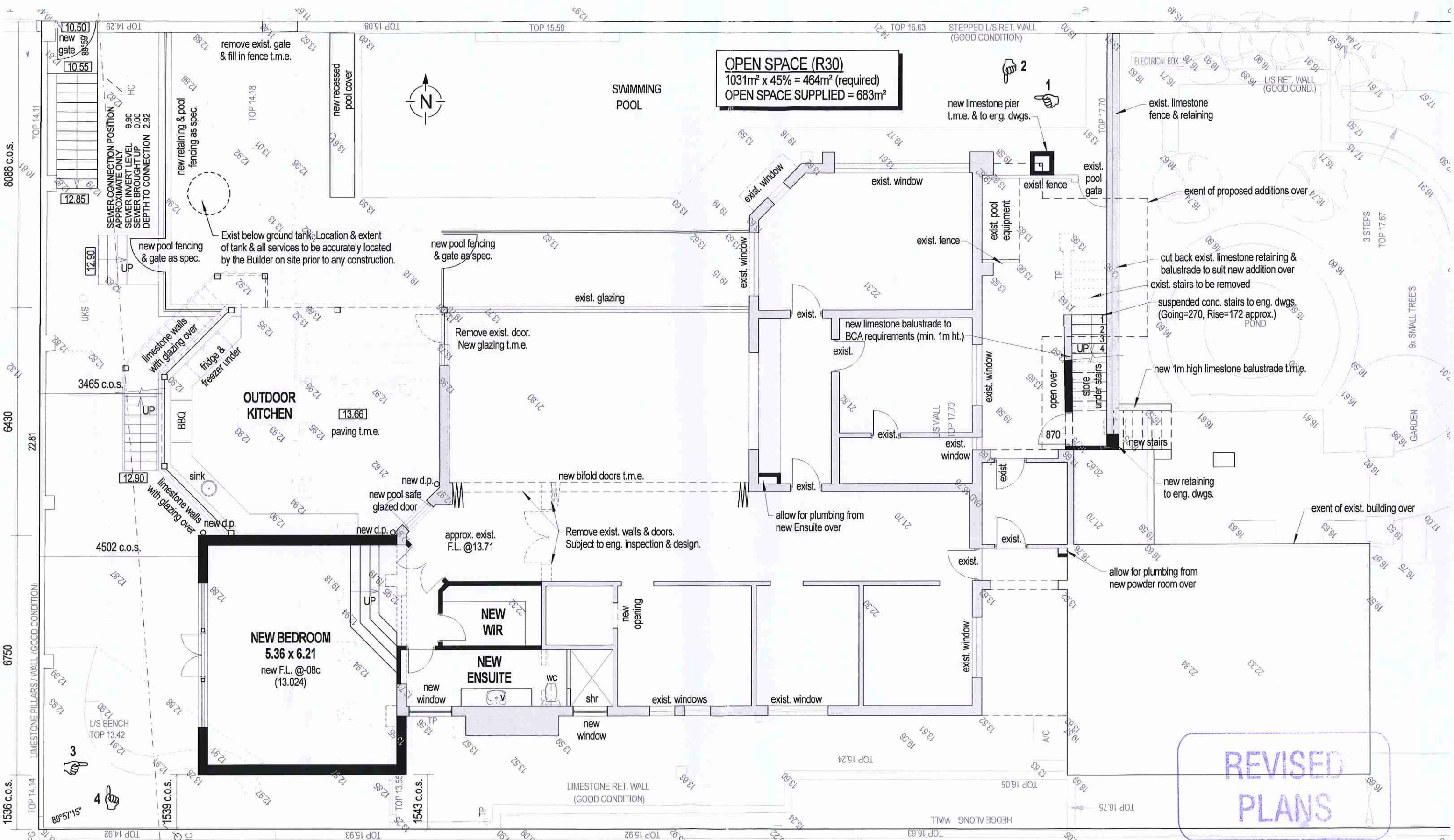
7.1 In conclusion, the development is intended to be an extension of the existing character of the building. It will be seen from adjacent streets but does not adversely affect any significant views from the public realm.

7.2 As a development the rear extension will not form an intrusive nor obtrusive element within the local character which is made up of very diverse built forms.

7.3 The proposed structure does change a limited proportion of views from the neighbouring property, however the views affected are of the suburban character seen over the subject property where boundary conditions may change.

7.4 The limited views are northerly and north westerly and are obtained over the garden of the subject site. As such they cannot be considered as views of significance.

7.5 The proposal does not have impacts on any significant views. All significant views from the public realm are unaffected.



OPEN SPACE (R30)
 1031m² x 45% = 464m² (required)
 OPEN SPACE SUPPLIED = 683m²

REVISED PLANS

GROUND FLOOR PLAN scale 1:100

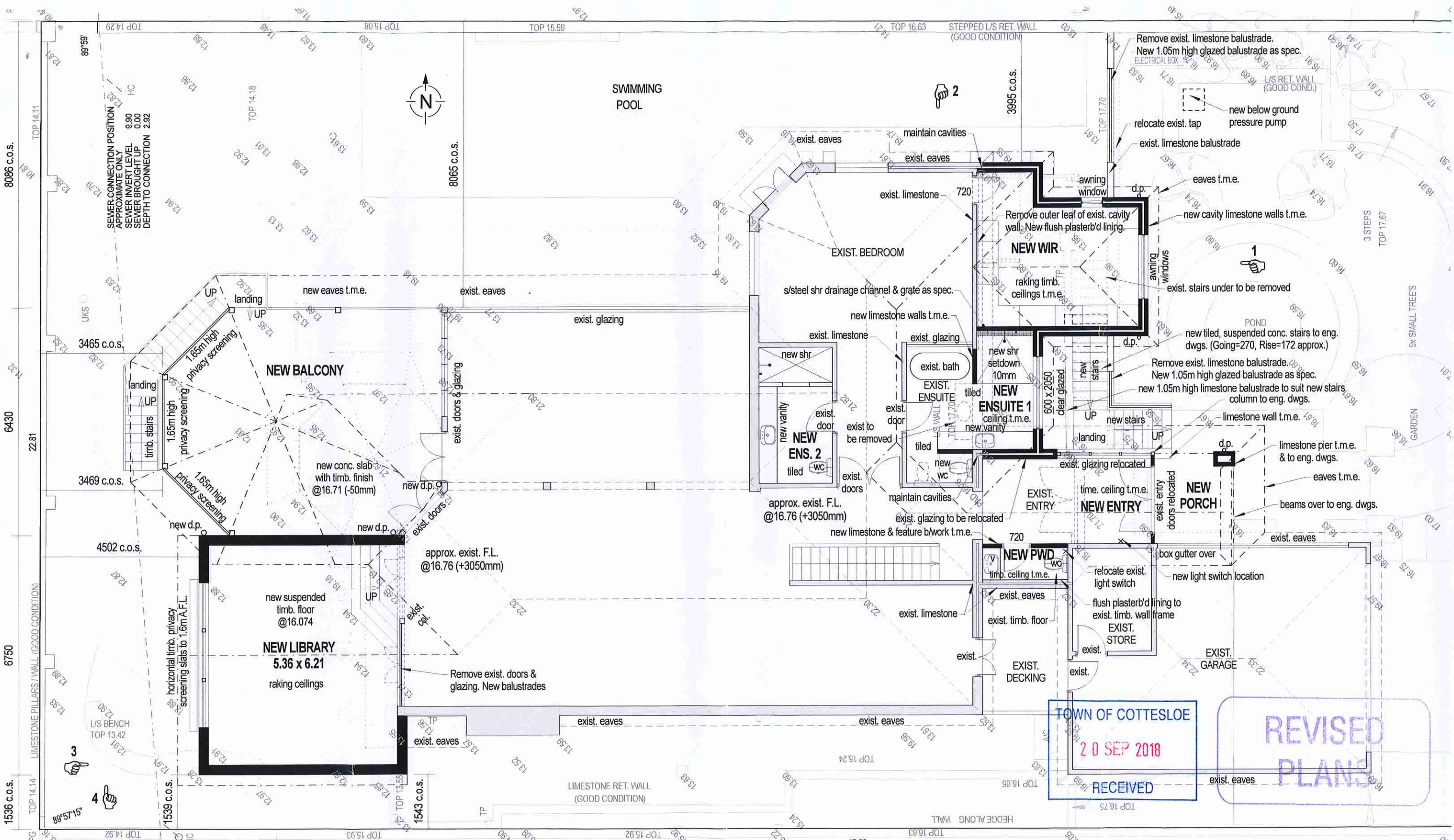
NOTES:
 CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
 REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
 ALLOW FOR SMOKE DETECTORS.
 CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
 ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
 ALL AREAS ARE APPROXIMATE ONLY.
 MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
 OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
 DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
 DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
 LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
 CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.

PROPOSED ADDITIONS
ON LOT 37, No.7 AVONMORE TERRACE
COTTESLOE
PRELIMINARY ONLY



DRAWN CBL	DATE JUNE 2018	SHEET NO. SK2
SCALE as shown	JOB NO. 2sk1711-1670L	PRINT 2/08/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		

TOWN OF COTTESLOE
 20 SEP 2018
 RECEIVED



UPPER FLOOR PLAN scale 1:100

**PROPOSED ADDITIONS
ON LOT 37, No.7 AVONMORE TERRACE
COTTESLOE**

PRELIMINARY ONLY

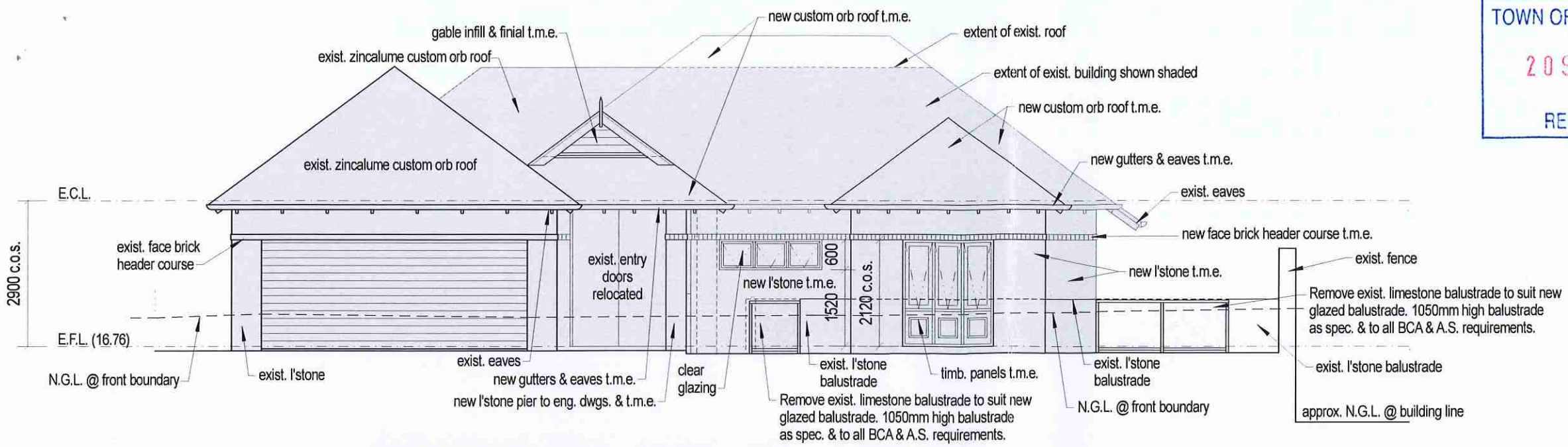


DRAWN CBL	DATE JUNE 2018	SHEET NO. SK3
SCALE as shown	JOB NO. 2sk1711-1670L	PRINT 2/08/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		

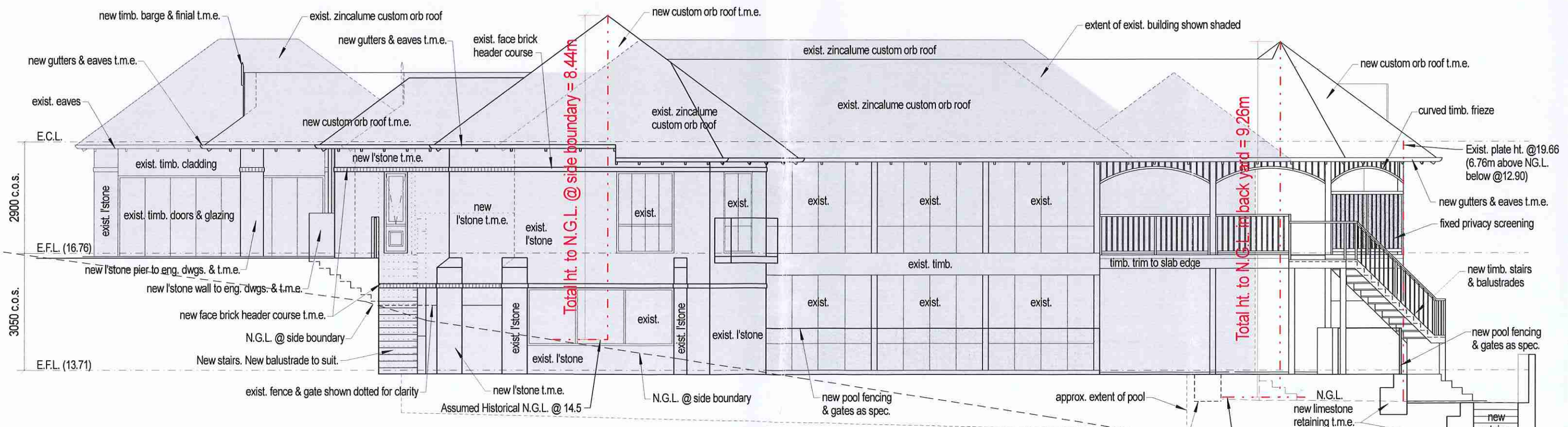
NOTES:
CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
ALLOW FOR SMOKE DETECTORS.
CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
ALL AREAS ARE APPROXIMATE ONLY.
MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.

TOWN OF COTTESLOE
 20 SEP 2018
 RECEIVED

REVISED
 PLANS



ELEVATION 1 (East - Avonmore Terrace) scale 1:100



ELEVATION 2 (North - Princes Street) scale 1:100

0 5m 7.5m 10m

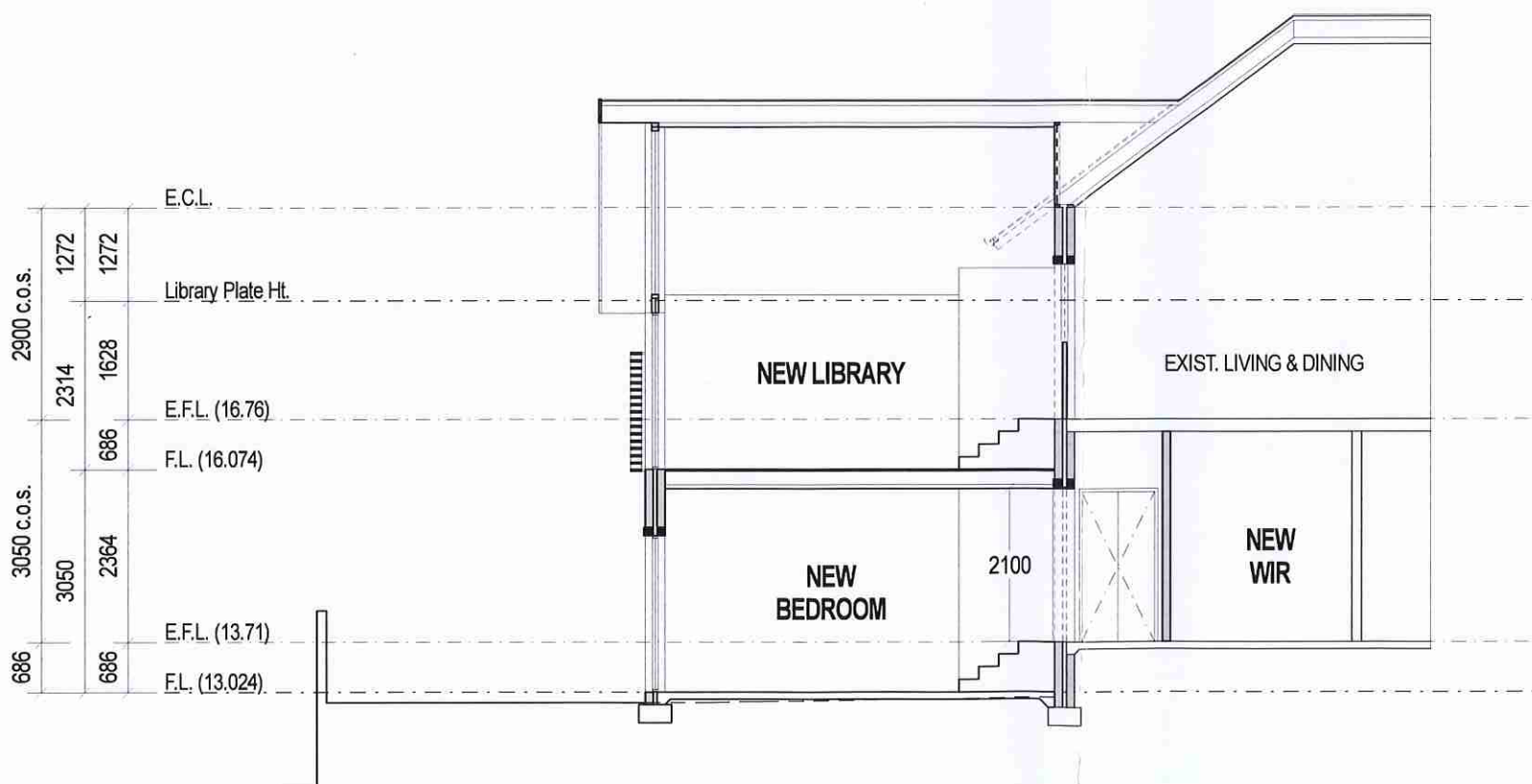
**PROPOSED ADDITIONS
 ON LOT 37, No.7 AVONMORE TERRACE
 COTTESLOE**
PRELIMINARY ONLY



DRAWN CBL	DATE JUNE 2018	SHEET NO. SK4
SCALE as shown	JOB NO. 2sk1711-1670L	PRINT 2/08/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		

NOTES:
 CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
 REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
 ALLOW FOR SMOKE DETECTORS.
 CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
 ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
 ALL AREAS ARE APPROXIMATE ONLY.
 MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
 OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
 DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
 DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
 LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
 CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.

REVISED
PLANS



TYPICAL SECTION scale 1:100

TOWN OF COTTESLOE

20 SEP 2018

RECEIVED

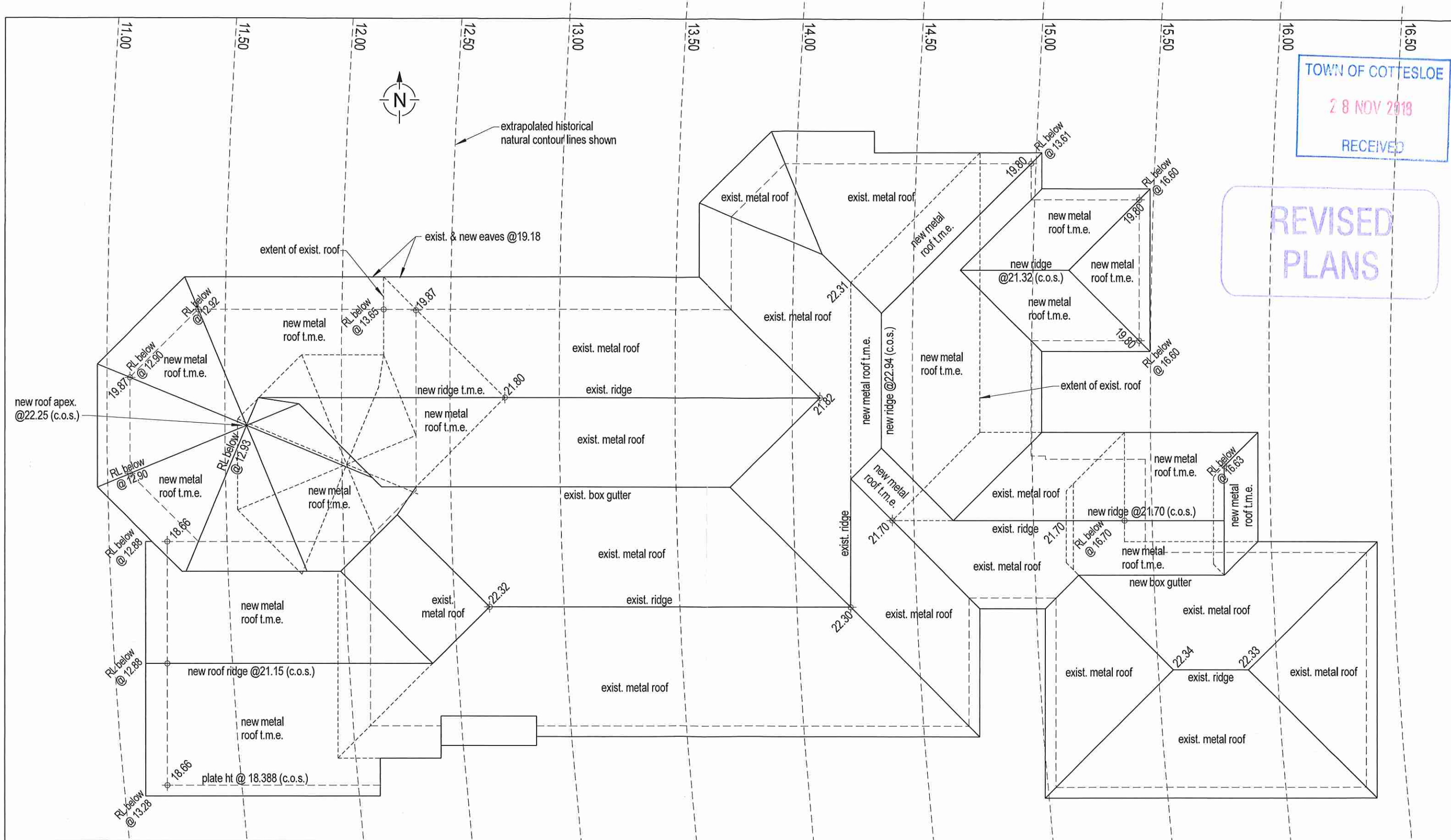
0 5m 7.5m 10m

**PROPOSED ADDITIONS
ON LOT 37, No.7 AVONMORE TERRACE
COTTESLOE**
PRELIMINARY ONLY

**HORIZON
DESIGN**

DRAWN CBL	DATE JUNE 2018	SHEET NO. SK6
SCALE as shown	JOB NO. 2sk1711-1670L	PRINT 2/08/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		

NOTES:
CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
ALLOW FOR SMOKE DETECTORS.
CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
ALL AREAS ARE APPROXIMATE ONLY.
MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.



TOWN OF COTTESLOE
28 NOV 2018
RECEIVED

REVISED
PLANS

ROOF PLAN scale 1:100



**PROPOSED ADDITIONS
ON LOT 37, No.7 AVONMORE TERRACE
COTTESLOE**
PRELIMINARY ONLY

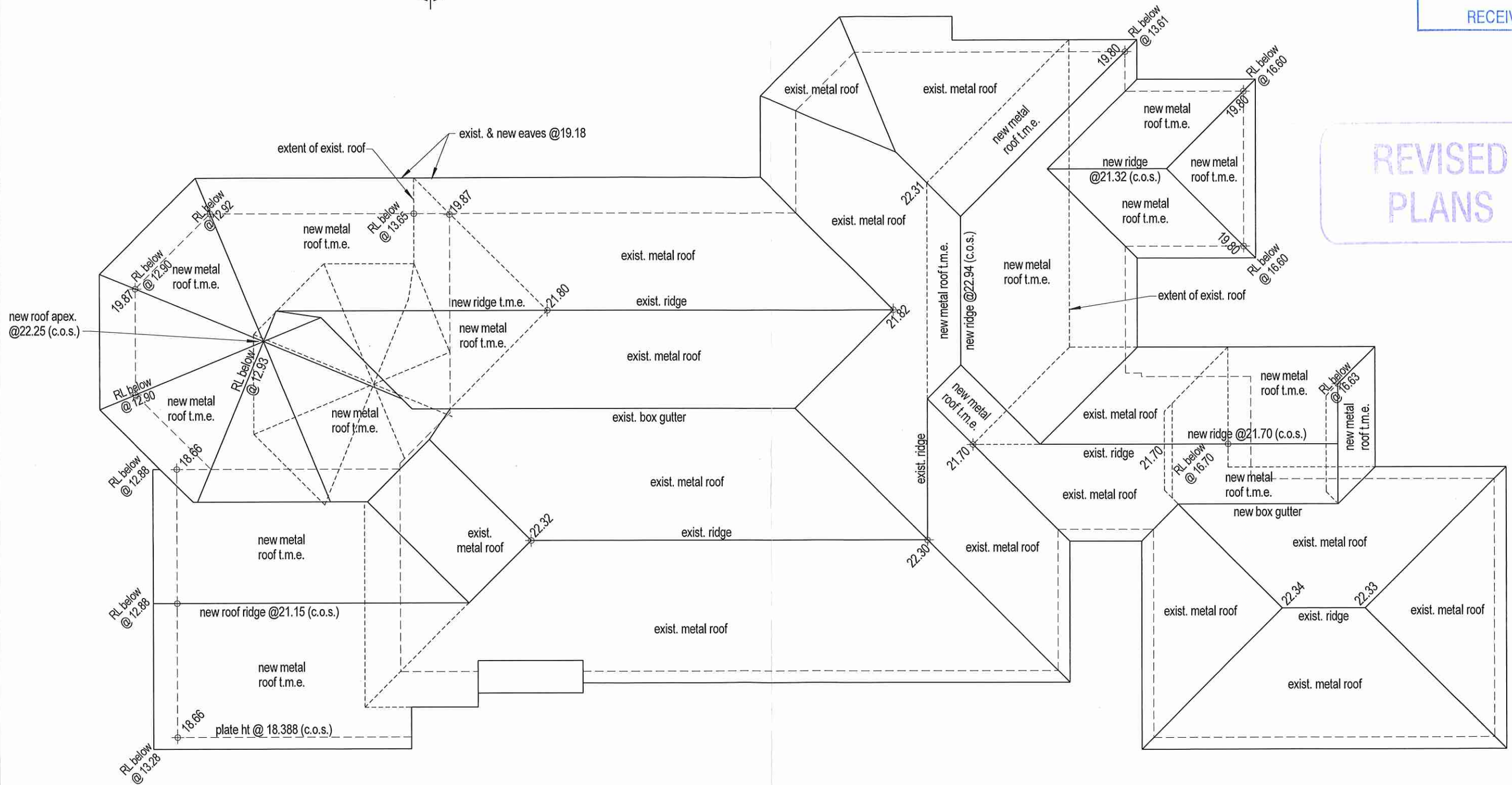


DRAWN CBL	DATE JUNE 2018	SHEET NO. SK7
SCALE as shown	JOB NO. 2sk1711-1670M	PRINT 26/11/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		

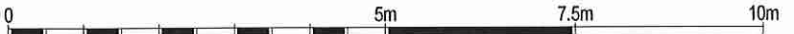
NOTES:
CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
ALLOW FOR SMOKE DETECTORS.
CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
ALL AREAS ARE APPROXIMATE ONLY.
MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.



REVISED PLANS



ROOF PLAN scale 1:100



PROPOSED ADDITIONS
ON LOT 37, No.7 AVONMORE TERRACE
COTTESLOE

PRELIMINARY ONLY



DRAWN CBL	DATE JUNE 2018	SHEET NO. SK7
SCALE as shown	JOB NO. 2sk1711-1670M	PRINT 26/11/2018
THIS DESIGN IS THE PROPERTY OF HORIZON DESIGN AND SHALL NOT BE REPRODUCED WITHOUT PERMISSION. © 2017		

NOTES:
 CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
 REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
 ALLOW FOR SMOKE DETECTORS.
 CONNECT ALL DOWNPIPES TO SOAKWELLS. ALL SOAKWELLS TO BE INTERCONNECTED.
 ALL MATERIALS TO MATCH EXISTING. T.M.E. = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
 ALL AREAS ARE APPROXIMATE ONLY.
 MASONRY TO COMPLY WITH AS3700. WINDOWS TO COMPLY WITH AS2047.
 OWNER TO CONFIRM SIZE OF APPLIANCE RECESSES PRIOR TO CONSTRUCTION.
 DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
 DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
 LOCATION OF BOUNDARIES TO BE CONFIRMED AND REPEGGED BY A LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.
 CONSTRUCTION TO COMPLY WITH ALL THERMAL ASSESSORS REQUIREMENTS.

Sent: Monday, 5 February 2018 9:09 AM
To: Ronald Boswell
Subject: Extension for 7 Avonmore tce Cottesloe

Sorry Ronald... This didn't go through to you

Morning Ronald.. Thank you for seeing me yesterday and showing me the intended plans of extension for the above property.. I feel it is going to an oversized extension in particular the back areas of the gazebo.. At the moment any activity that does happen on the current gazebo carries a lot of noise whether it be daytime or night.. My bedroom is out the back and I can hear everything clearly as if they were in my place.. I feel the noise will be overwhelming if was continued further forward.. Part of the large limestone fence appears to have a few gaps in it too.. I just hope that is stable.. I vote no to this large extension.... Kind regards

Sent from OPPO Mail

Mr R Boswell
Planning Officer
Town of Cottesloe W A 6011

LOT 37 D/P 3392- 7 AVONMORE TERRACE COTTESLOE

Dear Sir

Thank you for the opportunity to comment on the above application.

On the basis that you have advised that both the code of vision and the height of the proposal are outside Council's guidelines, we would not endorse the proposal.

The proposed extensions on the west side of the building would definitely intrude on our current amenity.

Thank you for the opportunity to comment.

Yours sincerely

23/01/18

Manager of Development Services
Town of Cottesloe
Broome Street, Cottesloe, WA 6011
6011

Attention: Ronald Boswell, Planning Officer

Dear Ron,

Re: Planning Application- Proposed Renovations and Additions to Existing Dwelling at Lot 37, No 7 Avonmore Terrace, Cottesloe.

Thank you for your Notice of public advertisement of planning approval dated January 16, 2018 and the opportunity to view the plans which I did on Monday January 22, 2018 with architect Simon Rodrigues.

My property is in Princes Street and lies to the west on the downside of the subject property. The steep nature of Princes Street means that properties on the downhill side suffer significant issues from adjoining owners to the east in relation to height and overlooking.

The current conditions have been far from ideal with overlooking from the current octagonal verandah and noise nuisance from the use of the verandah and the pool area in the north-west corner of the property.

The active and often noisy use of outdoor areas near my east boundary coupled with opportunities for overlooking has affected the peaceful enjoyment of my north facing outdoor living areas.

I enclose photographs showing the current situation which clearly shows the relationship of the existing upper level octagonal verandah. I also enclose a part plan and part elevation drawing of the two properties with their respective proposed works. The drawing clearly shows the detrimental impact of the verandah extension on my north facing outdoor living area.

The proposed enlargement of the verandah and extension westwards increases the present loss of amenity significantly.

Hence, my concerns regarding the proposed development are as follows:

Building Height

Clause 5.7.2 of the Town Planning Scheme (TPS3) limits the height of buildings in the district to mitigate the effect of building bulk, overshadowing and privacy.

The proposed development involves the exercise of a discretion in relation to wall height of between one (1) and one and half (1 1/2) metres for the octagonal verandah.

Council must consider impact of the discretion and its negative effects on the adjoining property in relation to my amenity.

Visual Privacy

Clause 5.4.1 of the Residential Design Codes (RDC) ensures the limiting of overlooking and loss of privacy for adjoining owners to ensure the maintenance of their amenity.

Visual privacy for the adjoining owners on the west is compromised by clear lines of sight from existing elevated ground levels of the property which are more than the 500mm minimum stipulated by the RDC and the upper level gazebo verandah.

The proposed extension of the pool terrace and the westwards expansion of the octagonal verandah exacerbates an already untenable situation.

The existing pool terrace is more than 500mm above natural ground. Hence the Cone of Vision requirements of the RDC must also be applied to the extension.

Council must similarly consider the impact of the discretion and its negative effects on the adjoining property in relation to my amenity

Yours sincerely,



Our Ref: 18-046

31 January 2018

Mr Mat Humfrey
Chief Executive Officer
Town of Cottesloe
109 Broome Street
COTTESLOE WA 6011

Attention: Ronald Boswell

Dear Sir

**PROPOSED EXTENSIONS TO AN EXISTING DWELLING AT 7 AVONMORE TERRACE, COTTESLOE
– FORMAL SUBMISSION LETTER**

I refer to the Town of Cottesloe's (the Town) letter dated 16th January 2018 in respect of a development application proposing extensions to an existing single dwelling at 7 Avonmore Terrace, Cottesloe (the subject site). Please be advised that TPG+Place Match (TPG) has been appointed to represent the landowners of 5B Avonmore Terrace, Cottesloe (our Client's property) to assess and make comment on the proposed development plans.

Please be advised that our Client wishes to formally object to the proposed plans in their current form as the proposed two storey balcony extension and new balcony will have a detrimental, and in our view, unnecessary, impact on views of significance currently enjoyed from our Client's property. We also note that the proposed new balcony would overlook our Client's outdoor entertaining area which would create an unsatisfactory privacy issue.

Please note that our Client does not have any issues in relation to the proposed extensions to the front of the dwelling or the ground level extensions proposed to the rear of the dwelling.

Our detailed submission is provided below.

Building Height

Clause 5.7 of the Town's Local Planning Scheme No. 3 (LPS 3) establishes building height controls within the Town, with the following maximum building height parameters being applicable to a two storey development:

- (i) Building Height – 8.5 metres maximum height
- (ii) Wall Height (to level of roof) – 6.0 metres maximum height

PERTH OFFICE

Level 18, 191 St Georges Tce
Perth Western Australia 6000

PO Box 7373 Cloisters Square
Perth Western Australia 6850

Telephone +61 8 9289 8300
planning@tpgwa.com.au
www.tpgwa.com.au

The Planning Group Australia Pty Ltd
ABN 36 097 273 222

- (iii) Wall Height (to top of a parapet) – 7.0 metres maximum height

LPS 3 defines the method for calculating building height as follows:

"means the maximum vertical distance between any point of natural ground level and the uppermost part of the building directly above that point (roof ridge, parapet, or wall), excluding minor projections above that point."

It is noted that the proposed balcony extension and new balcony exceed the prescribed maximum building height of 8.5 metres and prescribed wall height of 6.0 metres as measured from natural ground level.

Impact on Views of Significance

One of the principle aims of the Town's LPS 3 is to 'recognise the principle of the maintenance and enhancement of views to and from public spaces' (Cl. 1.6 g) and this principle aim is reflected throughout LPS 3 as cited in the relevant clauses below.

In accordance with Clause 10.2.1 and 10.2.2 of LPS 3, the Town is to have due regard to the following matters applicable to the assessment of this application:

- the compatibility of a development with its setting;
- the preservation of the amenity of the locality;
- the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal; and
- the effect of the proposal on the maintenance and enhancement of important views to and from public places, including views to the public domain and views of the coastal and inland landscapes, and the need to control the position, height, setback and design of the proposal in the interest of important views to and from public places.

Furthermore, Clause 5.7.5 requires that with respect to varying maximum building heights for additions or extensions to existing dwellings, the Town must have regard to access to views of significance.

Additionally, we note that State Planning Policy 3.1 – Residential Design Codes also places importance on the need to control building height to maintain views of significance, as follows:

*5.1.6 P6 Building height that creates **no adverse impact** on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:*

- *adequate access to direct sun into buildings and appurtenant open spaces;*
- *adequate daylight to major openings into habitable rooms; and*
- **access to views of significance.**

It is noted that the proposed extension to the existing balcony and proposed new balcony exceed the maximum overall building height of 8.5 metres and wall height of 6 metres and also would detrimentally impact on ocean views currently enjoyed from my Client's property. It is for these combined reasons that our Client wishes to object to these components of the proposed development.

Visual Privacy

We note that the proposed new balcony has the potential to overlook directly into our Client's outdoor entertaining area. If privacy screening were introduced to mitigate this issue, the visual privacy screen will have a further impact on the views of significance currently enjoyed from our Client's property.

Additional comments on the proposed extensions

The necessity of the proposed new balcony and extension to the existing balcony is queried given that the existing dwelling already contains a generous balcony area that has unobstructed views to the ocean. The proposed new balcony appears to be an add on which has been included primarily to provide a design 'cap' to the proposed ensuite extension to the ground level below.

Both the extension to the existing balcony and proposed new balcony extend within the existing view corridor to the ocean currently enjoyed from our Client's property. It is respectfully requested that the applicant reconsider the need for these additions.

Our Client looks forward to working with the applicant in reaching a mutually beneficial outcome and would appreciate the opportunity to review any amended plans which seek to address our concerns identified above.

We trust that our submission will be seriously considered by the Town in undertaking its assessment. Should you wish to discuss our submission, please do not hesitate to contact the undersigned on (08) 9289 8300.

Yours sincerely

TPG+PLACE MATCH



Mike Davis
Associate

Cc Mr Paul Hayter
5B Avonmore Terrace
Cottesloe

16/01/19

Manager of Development Services
Town of Cottesloe
Broome Street, Cottesloe, WA 6011
6011

Attention: Ronald Boswell, Planning Officer

Dear Ron,

Re: Planning Application- Proposed Renovations and Additions to Existing Dwelling at Lot 37, No 7 Avonmore Terrace, Cottesloe.

Thank you for your Notice of public advertisement of planning approval dated January 4, 2019 and the opportunity to view the plans which my architect Simon Rodrigues of Rodrigues Bodycoat Architects was able to do on Tuesday, January 15, 2019.

I responded to a previous Planning Application for proposed renovations and additions to the property in January last year. Except for the adjustment of levels to the two storey addition in the south west corner of the property, which I submit is to appease adjoining owners to the south of the subject property and the addition of privacy screens to the balcony extension, the proposed works are the same as those proposed last year.

My property is in Princes Street and lies to the west on the downside of the subject property. The steep nature of Princes Street means that properties on the downhill side suffer significant issues from adjoining owners to the east in relation to height and overlooking.

As I wrote last year the current conditions have been far from ideal with overlooking from the current octagonal verandah and noise nuisance from the use of the verandah and the pool area in the north-west corner of the property.

The active and often noisy use of outdoor areas near my east boundary coupled with opportunities for overlooking has affected the peaceful enjoyment of my north facing outdoor living areas.

The proposed enlargement of the verandah and extension westwards increases the present loss of amenity significantly.

Hence, my concerns regarding the proposed development are as follows:

Building Height

Clause 5.7.2 of the Town Planning Scheme (TPS3) limits the height of buildings in the district to mitigate the effect of building bulk, overshadowing and privacy.

- **The proposed development involves the exercise of a discretion in relation to wall height of 1.77 metres for the octagonal verandah as per your advice.**
-

- **The proposed development involves the exercise of a discretion in relation to ridge height of 2.1 metres for the roof as per your advice.**
- **The proposal development involves fill and retaining above 05 metres associated with the existing pool deck.**

Council must consider the impact of the discretion and its negative effects on the adjoining property in relation to my amenity.

Visual Privacy

Clause 5.4.1 of the Residential Design Codes (RDC) ensures the limiting of overlooking and loss of privacy for adjoining owners to ensure the maintenance of their amenity.

Visual privacy for the adjoining owners on the west is compromised by clear lines of sight from existing elevated ground levels of the property which are more than the 500mm minimum stipulated by the RDC and the upper level gazebo verandah.

The proposed extension of the pool terrace and the westwards expansion of the octagonal verandah exacerbates an already untenable situation.

The existing pool terrace is more than 500mm above natural ground. Hence the Cone of Vision requirements of the RDC must also be applied to the extension.

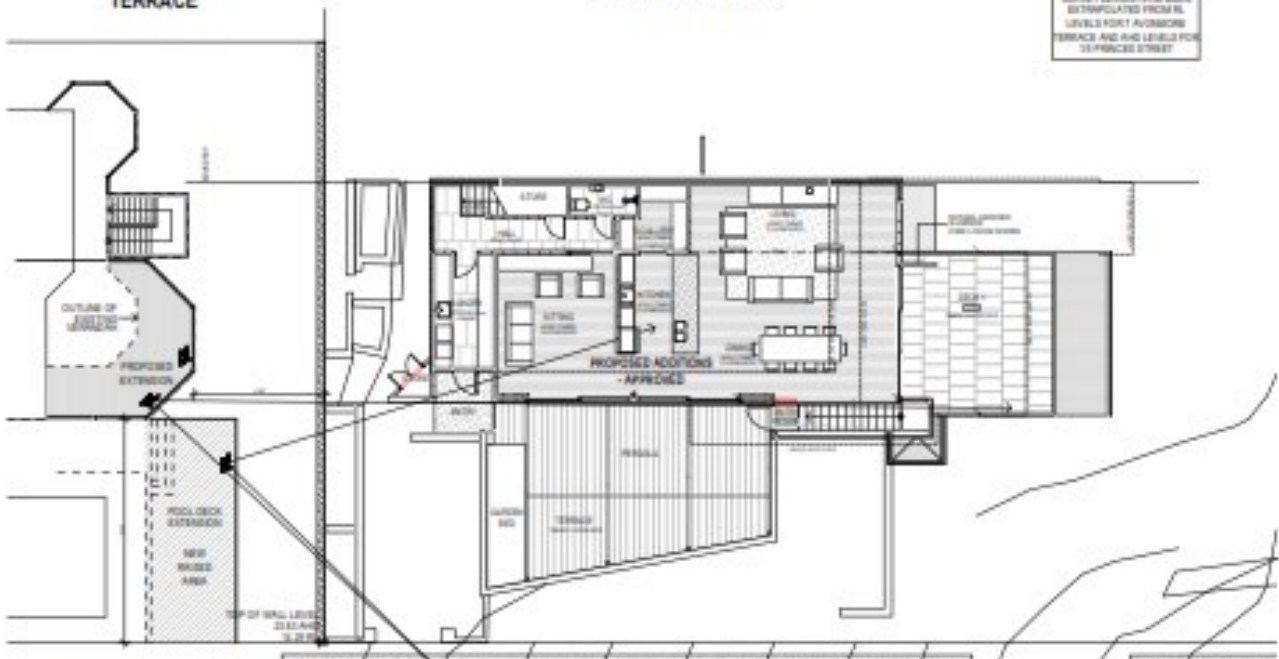
Council must similarly consider the impact of this discretion and its negative effects on the adjoining property in relation to my amenity



7 AVONMORE
TERRACE

1/5 PRINCES STREET

NOTE
SURVEY LEVELS HAVE BEEN
EXTRAPOLATED FROM RL
LEVELS FOR 7 AVONMORE
TERRACE AND AHD LEVELS FOR
1/5 PRINCES STREET



7 AVONMORE
TERRACE

1/5 PRINCES STREET



Our Ref: 19-014

11 January 2019

Chief Executive Officer
Town of Cottesloe
109 Broome Street
Cottesloe WA 6011

Attention: Ronald Boswell

Dear Sir

PROPOSED TWO STOREY EXTENSIONS TO AN EXISTING DWELLING AT 7 AVONMORE TERRACE, COTTESLOE – LETTER OF OBJECTION

I refer to the Town of Cottesloe's (the Town) letter dated 4th January 2019 in respect of a development application proposing extensions to an existing single dwelling at 7 Avonmore Terrace, Cottesloe (the subject site). Please be advised that **element** has been appointed to represent the landowners of 5A and 5B Avonmore Terrace, Cottesloe to assess and make comment on the proposed development.

Please be advised that the landowners of 5A and 5B Avonmore Terrace, Cottesloe formally object to the proposed development in its current form as the proposed overheight two storey balcony and library extension at the rear of the existing dwelling will have adverse impacts on views of significance to the ocean currently enjoyed from my client's properties.

Our detailed submission is provided below.

Background

We note that similar plans were lodged for a two storey extension to the subject site back in January 2018 around the same time last year and we prepared a letter of objection on behalf of the owners of 5B Avonmore Terrace on the basis that the proposal was overheight, had impacts on views of significance and created visual privacy issues on adjacent property.

These revised plans do not address the issues raised in our previous submission dated 31 January 2018, and in fact, the revised plans actually have a more significant impact on views of significance in relation to our Client's properties compared to the previous plans.

We note that the previous plans proposed a smaller balcony extension with an apex height of 20.95m AHD, which has now been replaced with a larger library extension with a ridge height of 21.15m AHD. This library extension extends out further west compared to the previous proposed

balcony extension, and this, combined with the increased height of the roof ridgeline, will have a greater impact on views to the ocean from our Client's properties.

We therefore do not consider that the revised plans have addressed the concerns raised in our previous submission with respect to building height and impact on views of significance and therefore do not support these revised plans.

Building Height

Clause 5.7 of the Town's Local Planning Scheme No. 3 (LPS3) establishes building height controls within the Town, with the following maximum building height parameters being applicable to a two storey development on the subject site:

- (i) Building Height – 8.5 metres maximum height
- (ii) Wall Height (to level of roof) – 6.0 metres maximum height

LPS3 defines the method for calculating building height as follows:

"means the maximum vertical distance between any point of natural ground level and the uppermost part of the building directly above that point (roof ridge, parapet, or wall), excluding minor projections above that point."

We consider both the new library and balcony extension to be over height based on the natural ground levels represented by the contours overlayed on the roof plan (SK7). Utilising these contours, the maximum height of the proposed extensions is as follows:

- Library roof ridge: 9.9m (21.15m AHD – 11.25m AHD). This represents a 1.4m (16.5%) variation.
- Library wall height: 7.41m (18.66m AHD – 11.25m AHD). This represents a 1.41m (23.5%) variation.
- Balcony roof apex: 10.75m (22.25m AHD – 11.5m AHD). This represents a 2.25m (26.5%) variation.
- Balcony wall height: 8.62m (19.87m AHD – 11.25m AHD). This represents a 2.62m (43.6%) variation.

The above demonstrates that the proposed extensions substantially exceed the maximum building heights prescribed in LPS3 and we do not support these substantial variations. The proposed overheight extensions will have a substantial impact on views of significance currently enjoyed from our Client's property to the ocean, as detailed below.

Impact on Views of Significance

One of the principle aims of the Town's LPS3 is to 'recognise the principle of the maintenance and enhancement of views to and from public spaces' (Cl. 1.6 g) and this principle aim is reflected throughout LPS3 as cited in the relevant clauses below.

In accordance with Clause 10.2.1 and 10.2.2 of LPS3, the Town is to have due regard to the following matters applicable to the assessment of this application:

- the compatibility of a development with its setting;
- the **preservation of the amenity** of the locality;
- the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the **likely effect of the height, bulk, scale, orientation and appearance** of the proposal; and
- the effect of the proposal on the **maintenance and enhancement of important views** to and from public places, including views to the public domain and views **of the coastal**

and inland landscapes, and the need to control the position, height, setback and design of the proposal in the interest of important views to and from public places.

Additionally, we note that State Planning Policy 3.1 – Residential Design Codes also places importance on the need to control building height to maintain views of significance, as follows:

*5.1.6 P6 Building height that creates **no adverse impact** on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:*

- *adequate access to direct sun into buildings and appurtenant open spaces;*
- *adequate daylight to major openings into habitable rooms; and*
- **access to views of significance.**

These matters are also reinforced in the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which amongst other matters require local government to consider *'the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely **effect of the height, bulk, scale, orientation and appearance of the development**'* (Refer Clause 67(m)).

It is noted that the proposed new library and balcony extension protrude within the view corridor to the ocean currently enjoyed from our Client's properties, and this, combined with the fact that the extensions exceed the maximum overall building height of 8.5 metres and wall height of 6 metres would detrimentally impact on these ocean views. It is for these combined reasons that our Clients wish to object to these components of the proposed development.

The above amenity considerations set out the primary and ultimate considerations that the Town must take into account in exercising its discretion which is reinforced by Clause 5.7.5 of LPS3 which requires that with respect to varying maximum building heights for additions or extensions to existing dwellings, the Town must have regard to access to views of significance.

It is considered that the proposed development has not had regard to the combined impacts of the overall building height and bulk and the impact that this creates on views of significance. The existing dwelling on the subject site is already substantial in size, and it is considered a more skilful and sympathetic design could minimise any impacts on views of significance currently enjoyed from neighbouring properties.

Because of the importance of these views, it is considered that any future extensions should strictly comply with maximum building height and other requirements in order to respect these views.

Concluding Remarks

The owners of 5A and 5B Avonmore Terrace would welcome the opportunity to work with the applicant to reach a mutually beneficial outcome and would appreciate the opportunity to review any amended plans which seek to address the concerns raised in this submission.

We trust that our submission will be seriously considered by the Town in undertaking its assessment. Should you wish to discuss our submission, please do not hesitate to contact the undersigned on (08) 9289 8300.

Yours sincerely
element



Mike Davis
Associate

Cc
Diane and Paul Hayter, 5B Avonmore Terrace, Cottesloe
Robin and Michael Beech, 5A Avonmore Terrace, Cottesloe