



170 Little Marine Parade

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Scale 1:535

9/03/2015



Ronald Boswell
Planning Officer
Town of Cottesloe
COTTESLOE 6011

8 March 2015

# PROPOSED NEW TWO STOREY HOUSE AT 170 LITTLE MARINE PARADE, COTTESLOE

In response to your email received on Friday 6<sup>h</sup> February 2015 we take this opportunity to respond with justifications for the proposed design. We note that in all regards the plans have been amended from those originally submitted to increase setbacks to boundaries, reduce areas of proposed fill, and to improve the visual privacy of neighbours.

In direct response to your email, you request further justifications for the following areas –

- · Reduced setbacks,
- · Fill for the raised garden and
- Visual privacy from the roof terrace.

#### **Reduced Setbacks**

5.1.3 Lot boundary setback (excerpt from the RDC)

P3.1 Buildings set back from lot boundaries so as to:

reduce impacts of building bulk on adjoining properties;

provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

P3.2 **Buildings** built up to boundaries (other than the **street boundary**) where this: makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas:

does not compromise the design principle contained in clause 5.1.3 P3.1; does not have any adverse impact on the amenity of the adjoining property; ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and positively contributes to the prevailing **development** context and streetscape.

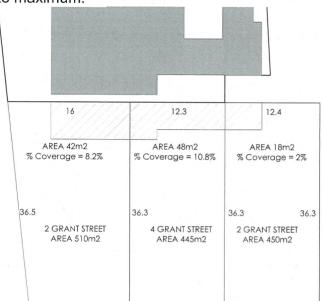
As outlined in the covering letter that was submitted with amended drawings on the 16<sup>th</sup> of February 2015 we seek dispensation for reduced setbacks to the north and south of the site based on 'Design Principles (P)' criteria. The setback of the building to the southern boundary varies between 1.0m and 3.6m. In all cases we adhere to Item P3.1 outlined above from the Residential Design codes and ensure the overall impression of bulk is reduced through the design and that adequate direct sunlight and ventilation reaches all adjacent properties. Also there is no overlooking of



adjacent properties via major openings from any of the habitable rooms of the upper floor level.

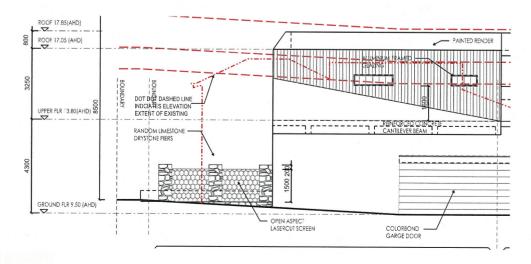
#### **Grant Street Properties**

To the south, our property is adjacent to two properties, numbers 2 and 4 Grant Street and slightly overshadows no 6 Grant street (although is not directly adjacent due to the Right of Way). Overshadowing diagrams submitted with this application show that we exceed the criteria set out under Item 6.4.2 Solar Access to adjoining Sites. In all cases the proportion of overshadowing is significantly less than the 25% recommended as an appropriate maximum.



This is due in part to the curved roof design incorporated that reduces the overall impression of scale and bulk. It is also due to the fact that the properties along Grant Street are significantly higher than our site due to the frontage being on Grant Street. The resulting level difference effectively reduces the overall impression of height of the proposed building by more than half a floor.

In addition we have mapped the location and bulk of the existing building on the proposed elevations and offer a significant improvement for the property at number 2 with the removal of the two story, westernmost section of the existing house.



#### 172 Little Marine Parade

The reduced setbacks we seek on this boundary emulate the form of the existing neighbouring house and meet the 'Design Principles (P)' principles outlined in items P3.1 and P3.2.

It appears that the house at 172 is built so close to the boundary that no major openings have been permitted. This is based on an inspection that shows that all of the windows to the south appear to be obscured (refer to photo below). We also propose a curved roof reading to reduce overall bulk, and propose no major openings to this side of the proposed design. The neighbouring façade is south facing so our proposals do not reduce sunlight at all.

The reduced setbacks we seek on this side meet the design principles outlined in item P3.2 making more effective use of the space between the buildings due to the overshadowing of our site, that occurs from the existing house at 172 Little Marine Parade. Due to the overshadowing it would be very difficult to effectively use any areas left over as the result of side setbacks.



#### Fill for the Raised Garden

#### 5.3.7 Site works (excerpt from the RDC)

P7.1 **Development** that considers and responds to the natural features of the **site** and requires minimal excavation/fill.

P7.2 Where excavation/fill is necessary, all finished levels respecting the **natural ground level** at the **lot boundary** of the **site** and as viewed from the **street**.

Generally the proposed site works follow the contours of the site very closely. In particular all of the areas seen from the street in the front 6m setback are less than 500mm different from natural grade. In direct response to P7.2 outlined above the ground levels 1m back from every boundary remain at the 'natural ground level'.

In addition the house follows the natural fall of the ground from front to back and incorporates a half flight change in level so the back areas (not seen from the street ) remain at natural levels.

The one area that we need to build up is in the central courtyard. Due to the fact that the main living level of the house is set at the first floor we propose raising the central courtyard to create a raised garden level. This provides valuable, meaningful outdoor areas as required under clause C.5.3.1 Outdoor Living areas that is accessed directly from the main habitable rooms. Also due to the overshadowing caused by the existing house to the north (172 Little Marine Parade) the proposed garden is lifted up to ensure adequate sunlight penetration.

## Visual Privacy from the Roof Terrace

## 5.4.1 Visual privacy (excerpt from the RDC)

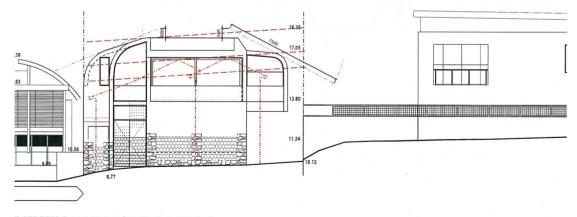
P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through: building layout and location; design of major openings; landscape screening of outdoor active habitable spaces; and/or location of screening devices.

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).

As outlined in the covering letter that was submitted on 16<sup>th</sup> February 2015 with amended plans, the roof terrace meets the criteria P1.1 under Clause 5.4.1 Visual Privacy, by achieving minimal direct overlooking of active habitable spaces of outdoor living areas of adjacent dwellings.

Firstly the access stair is provided with 1600 high fixed permanent visual privacy screens in frosted glass to ensure no overlooking from this item.

To the southern boundary the curved roof provides a fixed, permanent horizontal screening device.



#### E STREETSCAPE VIEW (WEST ELEVATION)

This device in association with the distinct level difference between the terrace and the neighbouring yard, ensure that it is not possible to look down into the yard. The cone of vision required under Clause 5.4.1 Item C1.1 of 7.5m is effectively achieved.

To the northern boundary the curved roof also provides a fixed, permanent horizontal screening device for shielding all ground level spaces and in accordance with Item P.1.1 'Minimal direct overlooking of active habitable spaces' is achieved through 'building layout and location'. It can be seen from the location on plan (refer photo collage below) that the terrace coincides only with the blank roof of the neighbouring property.

The proposed roof terrace aligns with the front roof section of 172 as can be seen

from the diagram below.



If there is any further information needed for the application please do not hesitate to contact me directly. My mobile phone number is 0404 479 243 or alternatively my email is <a href="mailto:contact@mcarchitects.com.au">contact@mcarchitects.com.au</a>.

Yours sincerely

**Matthew Crawford** 

Ronald Boswell
Planning Officer
Town of Cottesloe
COTTESLOE 6011

16 February 2015

# PROPOSED NEW TWO STOREY HOUSE AT 170 LITTLE MARINE PARADE, COTTESLOE

In response to your email dated Thursday 12<sup>th</sup> February 2015 we re-submit plans and elevations for the above named project. Drawings submitted include A01 Rev H Plans and A02 Rev H Elevations. In your email you requested the following;

- Elevation plans that show the existing building imprinted on the proposed dwelling and,
- The cone of vision drawn for the roof terrace to illustrate to the Town that there will be not over looking from the roof terrace.

The elevations now show the outline of the existing house in a dashed linestyle. The plans also show a 7.5m cone of vision from the upper roof terrace.

In addition to the request for additional information there were also several points raised by neighbours during the advertised period. While we understand that it may be beneficial to read the original letters we hereby submit further documentation setting out design arguments to support the application in the hope that it may facilitate a more rapid resolution.

#### 2 Grant Street

• The building will be too close to the northern boundary.

The setback of the building to the southern boundary (adjacent to 2 Grant Street) varies between 1.0m and 3.6m. We seek dispensation for the smaller section of 1.0m setback on performance based criteria. Due to the alignment of the houses to the south facing on Grant Street the southern boundary adjoins two properties. Firstly the house at 2 Grant Street benefits from our proposed 6m front setback that means for more than 30% of their frontage there is no bulk or scale of building whatsoever. In addition due their Grant street frontage the back garden is set significantly higher than the ground level of our site and the roof of this section of our proposed design is curved away from them to alleviate the overall bulk of the building.

· The height and bulk of the building will be detrimental to the north facing living area, outdoor entertaining area and swimming pool.

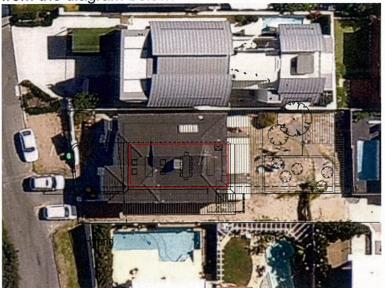
As outlined above the curved roof design alleviates the overall bulk of the building and for more than a third of their frontage there is no building whatsoever.

Overshadowing levels are well below allowable levels.

• Concerns about over looking from the roof terrace and over to 172 roof terrace.

The proposed roof terrace aligns with the front roof section of 172 as can be seen

from the diagram below.



Concerns for loss of light along the southern boundary.

The Residential Design Codes require that access to northern light is not limited beyond reasonable levels. We do not overshadow the property a 172 Marine Parade at all because they are located to the north of 170 Little Marine Parade.

• The plans that have been drawn showing 172 Little Marine have been drawn inaccurate. 172 Little Marine Parade setback from the southern boundary and is not on the boundary.

The heights of the adjacent property were surveyed and are noted on the street elevation to ensure accuracy. The exact setback of the roof was hard to determine and as can be seen from the photos below, appears very much to be built on, or very

close to the boundary.



#### Ronald Boswell

From:

Helen Austin [helenmaustin@hotmail.com]

Sent:

Sunday, 8 February 2015 4:38 PM

To:

council

Cc:

Ronald Boswell

Subject: Attachments: Development Application #2944, 170 Marine Pde

2 Grant St 1.jpg; 2 Grant St 2.jpg; 2 Grant St 3.jpg



Dr RF and Mrs HM Austin 2 Grant Street Cottesloe WA 6011



Andrew Jackson Manager Development Services

Dear Mr Jackson

.. e wish to lodge an objection to the Development Application #2944, 179 Little Marine Parade, for the ollowing reasons:

- 1. The building will be too close to our northern boundary.
- 2. The height and bulk of the building will have an extremely detrimental effect on our enjoyment of our ground floor north facing living area, outdoor entertainment area and swimming pool.
- 3. There will be a loss of privacy due to open stairs, and an observation deck which will overlook our outdoor area.

We purchased our property on the understanding that there was a public laneway/easement on the northern boundary of the property, which added value to the property by protecting our northern sunlight, and preventing future development too close to our boundary.

On the proposed plan the building projects over their driveway and comes to 1 metre from our north wall. This extension will run the whole length of our northern boundary, and beyond. (see photos 1, 2 and 3)

ut we are concerned that it appears to be considerably higher, especially with the observation platform included.

We hope you will consider these concerns when you are evaluating the application.

Yours sincerely

Dick and Helen Austin

8 Feb 2015





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LOWN OF COTTESLOE



4 Grant St Cottesloe 17/2/15

Dear Ronald

I have concerns about Shawing of our pool.

Also the redused setback.

Regarding 170 Little Marine Parade.

Melinda & Slee Melinda & Sher



TOWN OF COTTESLOE RECEIVED 9 February 2015

Mr Andrew Jackson Manager Development Services 109 Broome St Cottesloe WA 6011

Dear Mr Jackson

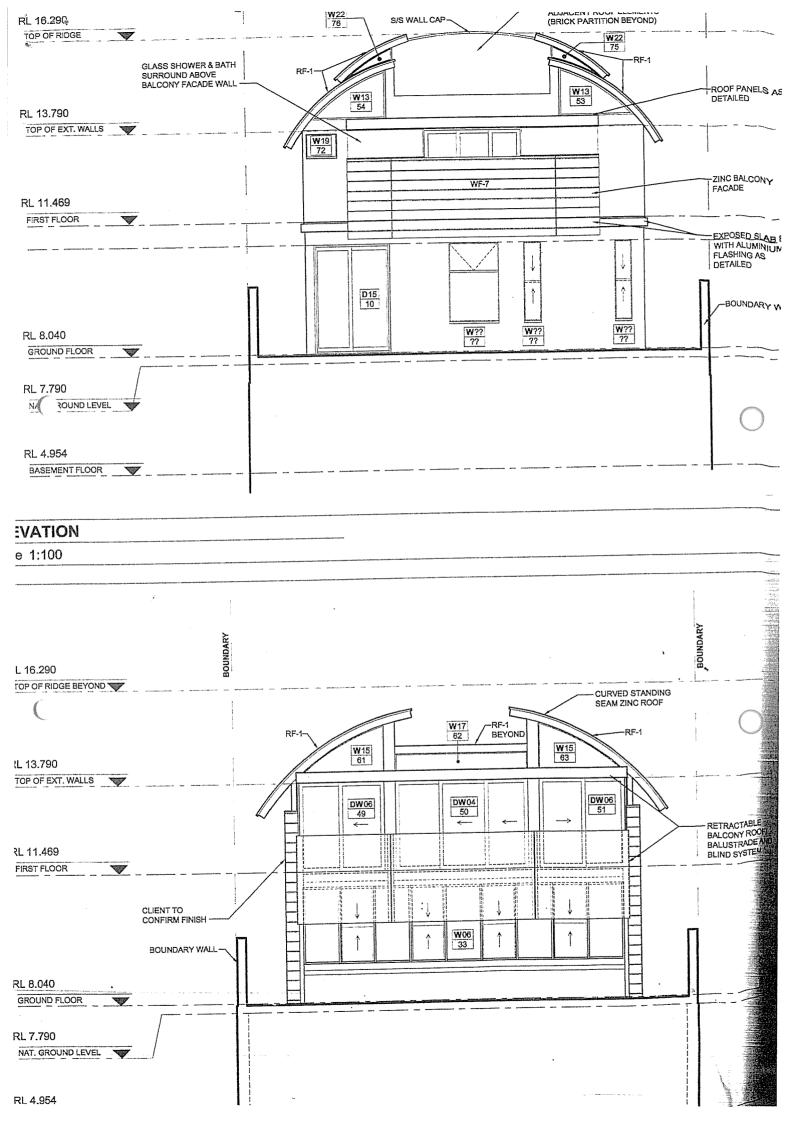
Re: Development Application- #2944, 170 little Marine Pde, Cottesloe, Planning Application for a Two Storey Dwelling

I object to the proposed plans for 170 Little Marine Pde, Cottesloe due to:

- a) The excessive bulk on our southern boundary (length and height) that far exceeds building guidelines and will have an adverse effect on our property.
  - The proposed parapet wall on this boundary is approximately 20m in length and it is 6m high for 11m of this. Then there are 2 roof elements of 4m and 7.2m that rise nearly vertically before curving away. These effectively add another metre to the height of the parapet walls in these locations and when the wall and roof elements are combined, we will visually have a wall/roof on our boundary of 7m height in these sections.
- b) Added to this, there is a roof garden on the 1<sup>st</sup> floor joining the parapet wall that is shown without privacy screening. When a 1.6m privacy screen is included then the length and height of the proposed parapet wall and privacy screen would be 6m high for 16m in length. (Plus a lower parapet wall of 3.9m height)
- c) Such a large dwelling, located directly on our boundary, will reduce the amount of ambient, natural light entering the south facing rooms and is likely to cause a wind tunnel down our side passage with the frequent winds from the ocean.
- d) I am concerned that the roof top terrace will overlook our roof top terrace and spa as the walls are only 1.3m. There is not enough detail on the plans to determine this accurately. (Our roof top terrace has 1.6m walls and does not overlook any neighbours).
- e) The plans have drawn our property incorrectly-they show our roof touching the boundary and our house situated closer than it is. This gives an incorrect visual representation of the 2 properties next to each other and as such should not be used to assess the impact of the proposed planning application on our property.

Please see the PDF accompanying this email that shows the accurate location of our property and the boundary.





172 Little Marine Pde Cottesloe WA 6011

26 Feb 2015

Mr Andrew Jackson Manager Development Services 109 Broome St Cottesloe WA 6011

Dear Mr Jackson

Re: Development Application for 170 Little Marine Pde, Cottesloe

Thank you for meeting and showing the revised plans for 170 Little Marine Pde.

1) I saw changes to the parapet wall but did not see and changes to the roof top terrace and are still concerned about the privacy. In fact as you are aware, the lack of information on the plans created more questions eg what is the actual height of the walls of the roof terrace?

As mentioned yesterday some sort of privacy screening, if allowed, in the northern corner of the Roof Top Terrace could solve this problem.

2) I am still concerned that the proposed parapet wall is so high. The parapet wall, the vertical roof element before it curves away and the 800m\*\* drop to our NGL will mean we look onto a visual wall of about at least 7.8m.

I would like to suggest that if the roof element is setback a distance (such as 300m), the height of the combined structure would seem less tall and the adverse effect on our property would be less.

This would allow a guttering system and also help our concern about the how water running off the roof can be adequately captured in the current design.

Yours sincerely

Belinda Brine

cc Councillor Phillip Angers

\*\* Please note the proposed plans for 170 little Marine Pde have an incorrect Natural Ground Level for our property, 172 Little Marine Pde.



172 Little Marine Pde Cottesloe WA 6011

11 March 2015

Mr Andrew Jackson & Ronald Boswell Manager Planning Services & Planning Officer Town Of Cottesloe 109 Broome St Cottesloe WA 6011

Dear Andrew and Ronald

#### RE: Planning Application, 170 Little Marine Parade, Cottesloe WA

Thank you for meeting this morning. See below concerns relating to the proposed development at 170 Little Marine Parade.

### 1. Size and bulk of the proposed dwelling, built on the boundary.

The development proposes a significant concession requirement to the R Codes, section 6.3.2. The wall built up to the boundary is not within the bounds of acceptable development, exceeding the heights allowed for in the Cottesloe Town Planning Scheme and the R-Codes.

Regarding acceptable Performance Criteria, the proposed development will have an adverse effect on the amenity of our property. The wall will be imposing, and the design has not considered ameliorating the impacts of building bulk on our property.

The excess height, bulk and scale of the wall proposed on the boundary will restrict light to the lower level habitable rooms.

#### 2. Boundary setbacks

The development proposes a significant concession to the R Codes, Section 6.3.1.

We acknowledge that the rear setback has been altered, though this still does not meet acceptable development and setback requirements.

Regarding acceptable Performance Criteria, the proposed development will restrict sun and ventilation to our property, impact our privacy, and does not assist in ameliorating the impacts of building bulk on our property.

#### 3. The roof depicted as curving to the outside edge of a boundary wall.

The roof design in its current form is proposed as flush with the boundary line. We have considerable concerns about how the proposed design will deal with drainage.

Being a beach front property, rain is wind driven in the prevailing westerly storms, bringing heavy down pours with strong winds. If there is inadequate catchment from the roof on the boundary and an overflow does occur, this will spill in large volumes and detrimentally effect our property. Any



spills or wind driven rain off this roof will fall approx. 7m to the NGL of our property. Roof alterations retrospectively will be very difficult once the dwelling is built.

The issues regarding setbacks need to be addressed initially, then any drainage be concealed behind a parapet wall on the boundary to ensure all rainwater and potential overflow be adequately collected on the property of the proposed development.

Also please note the roof rises almost vertically from the top edge of the wall. This visually adds at least another metre to the boundary wall.

#### 4. Overlooking issues relating to the roof top terrace.

The development proposes concessions to the R Codes regarding Section 6.8, Privacy Requirements.

Adequate screening that complies with the R Codes to the acceptable height and transparency requirements will help satisfy this.

## 5. The west facing Master Bedroom Window

The proposed window to the master bedroom is larger than one square metre, therefore should be considered a major opening.

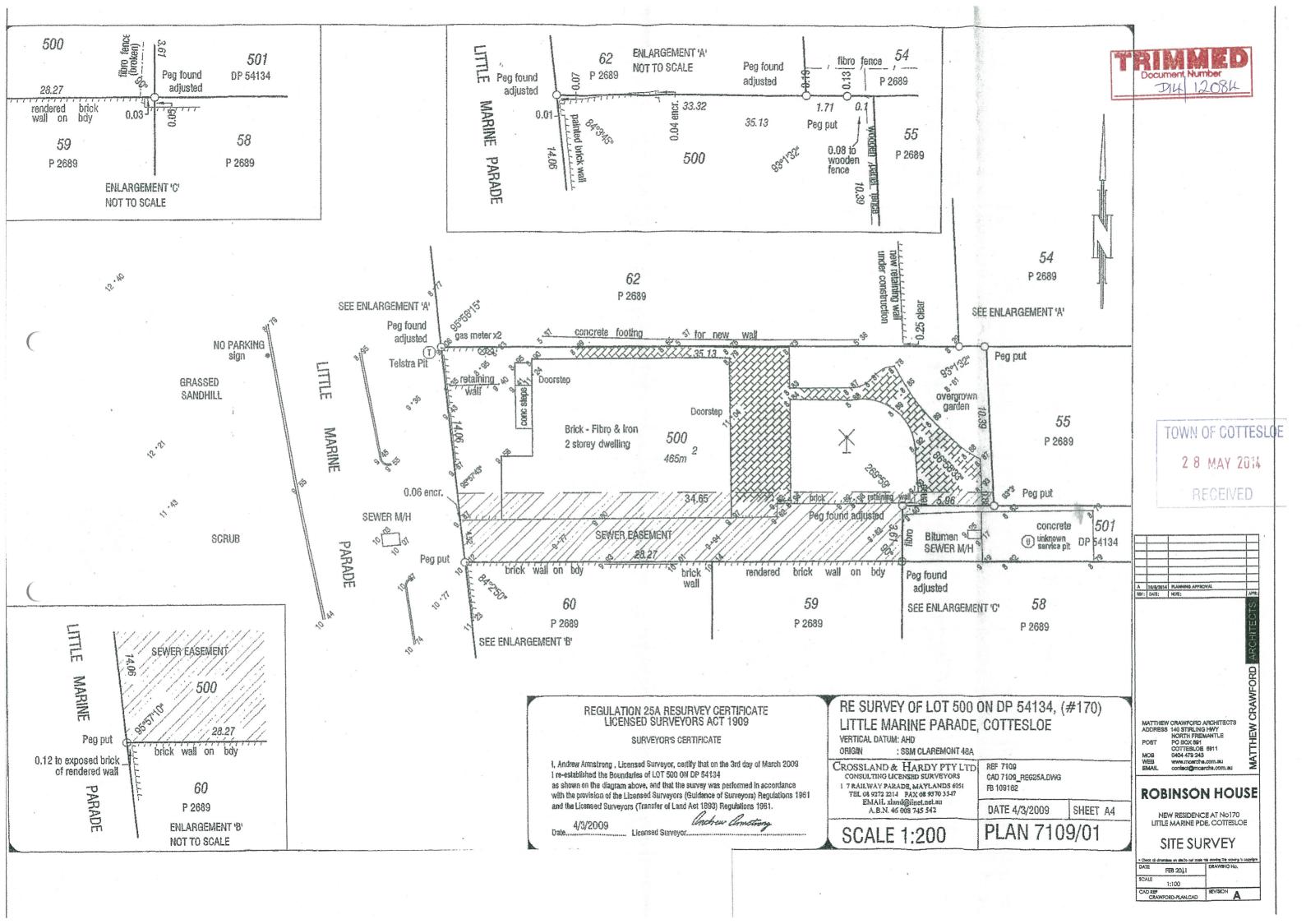
The proposed window contravenes performance criteria of the R Codes, section 6.8 regarding privacy requirements. The window directly overlooks a ground floor bedroom located at the front of our property. We request consideration that it be screened (such as to the window's north side and bottom edge)or has opaque glass to a level providing privacy or it becomes a minor opening.

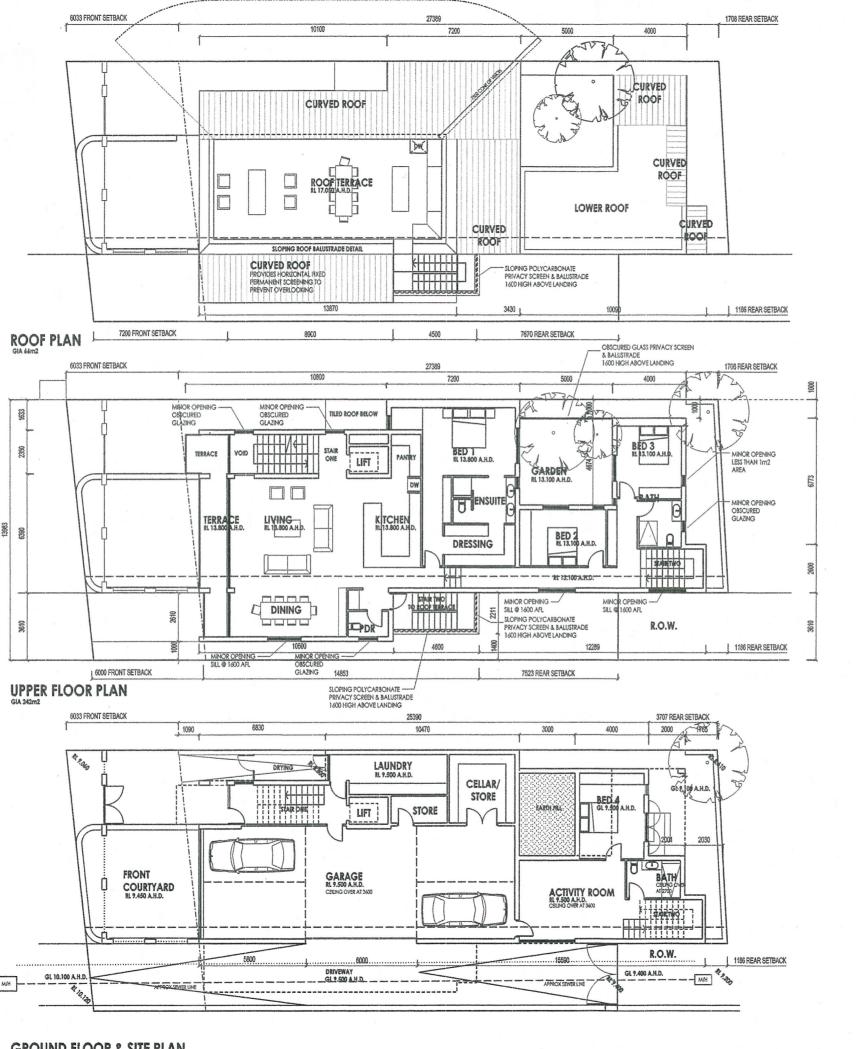
In summary, I am concerned by the considerable concessions being requested to the Cottesloe Town Planning Scheme & R Codes and the adverse effect of these on our property. Acceptable Performance Criteria do not ameliorate the impact of this building on our property.

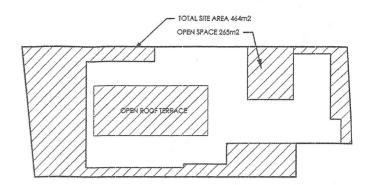
Thank you for considering my comments

Yours sincerely,

Belinda Brine







## **OPEN SPACE CALCULATION 1:200**

TOTAL SITE AREA = 464m2 TOTAL OPEN SPACE = 260m2 PERCENTAGE OPEN SPACE = 56%

REVISED PLANS



TOWN OF COTTESLOE RECEIVED

2 3 FEB 2015

1	19/2/2015	PURTHER SETBACKS SCHEME
3	16/2/2015	
G	-	
7	24/1/2015	SUBMISSION FOR PLANNING APPROV
E	12/1/2015	
-	12/1/2015	SCHEME AMENDED POST MIDIATION
D	7/1/2015	FRONT COURTYARD HEIGHT AMENDE
C	6/1/2015	HYSRID SCHEME FOR MEDIATION
3	25/8/2014	HEIGHT LOWERED, DESIGN AMENDED
A	10/5/2014	PLANNING APPROVAL
恕/:	DATE:	NOTE:
		CRAWFORD ARCHITECTS 140 STIRLING HWY
AL	DRESS	140 STIRLING HWY NORTH FREMANTLE
AL		140 STIRLING HWY NORTH FREMANTLE PO BOX 891
PC	DRESS	140 STIRLING HWY NORTH FREMANTLE
PO	DRESS DST	140 STIRLING HWY NORTH FREMANTLE PO BOX 891 COTTESLOE 6911

# **ROBINSON HOUSE**

NEW RESIDENCE AT No170 LITTLE MARINE PDE, COTTESLOE

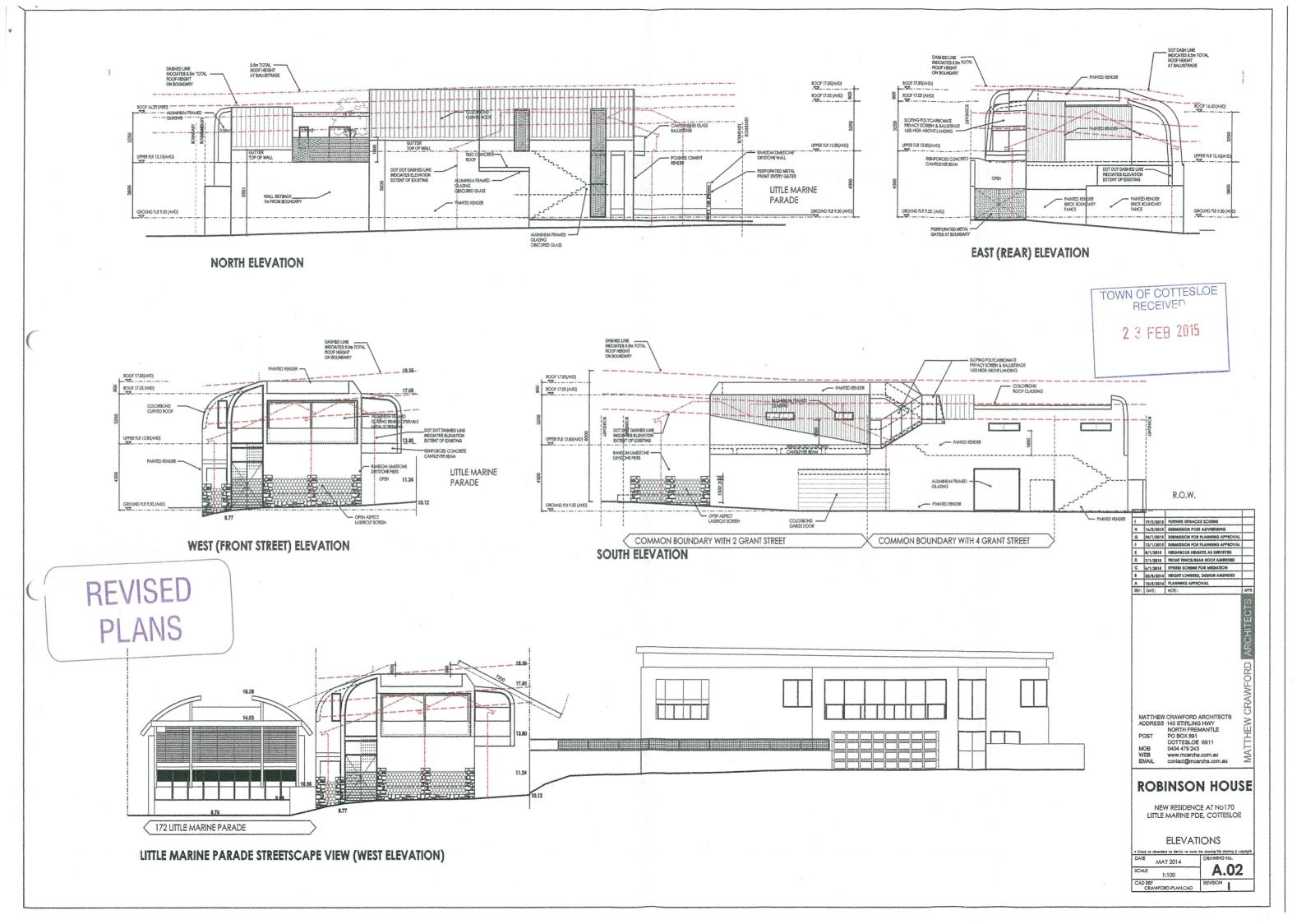
PLANS

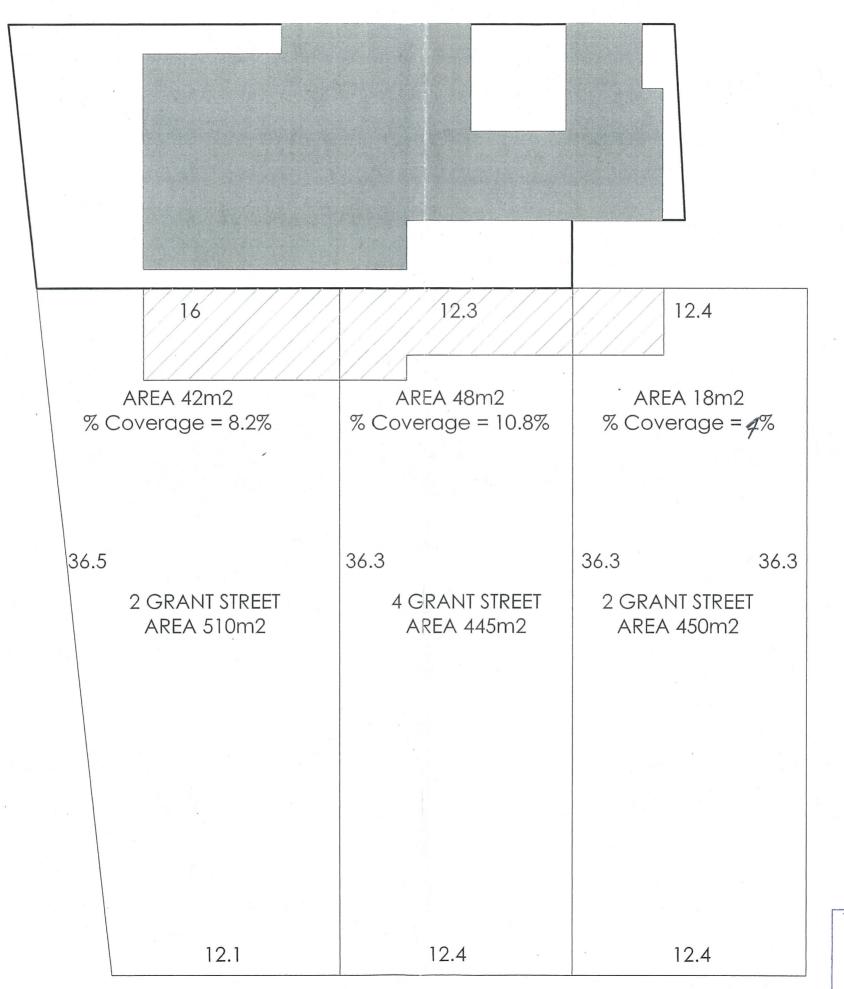
DATE MAY 2014 DRAWING NO.

SCALE 1:100 REVISION REVISION 1

CAD REF CRAWFORD-PLAN, CAD

**GROUND FLOOR & SITE PLAN** 





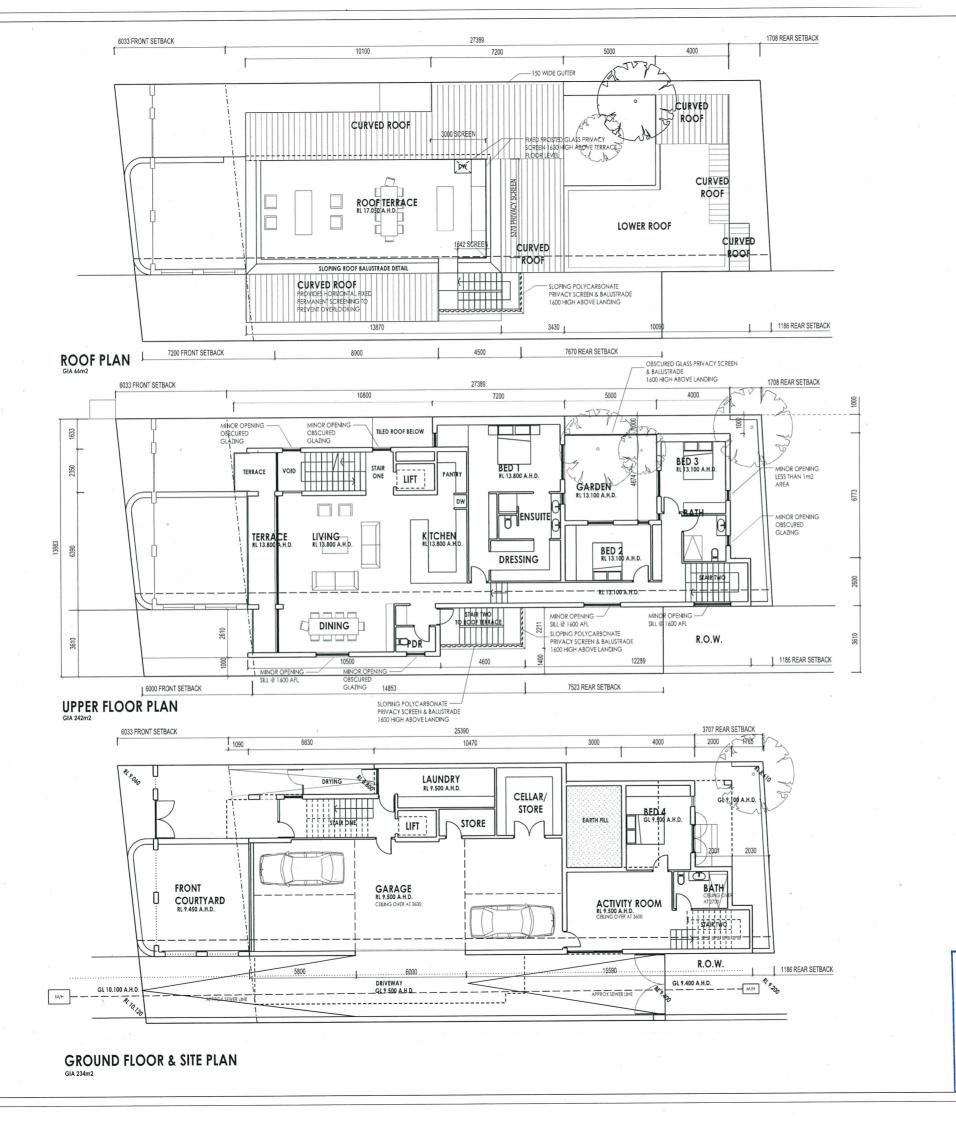
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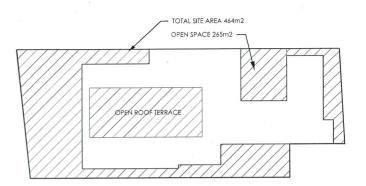
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**OVERSHADOWING** 

A.10





### OPEN SPACE CALCULATION 1:200

TOTAL SITE AREA = 464m2
TOTAL OPEN SPACE = 260m2
PERCENTAGE OPEN SPACE = 56%



# TOWN OF COTTESLOE

1 2 MAR 2015

**RECEIVED** 

H 16	/2/2015	SUBMISSION POST ADVERTISING	
G 24	/1/2015	SUBMISSION FOR PLANNING APPROVAL	
12	/1/2015	SUBMISSION FOR PLANNING APPROVAL	
E 12	/1/2015	SCHEME AMENDED POST MEDIATION	
	1/2015	FRONT COURTYARD HEIGHT AMENDED	
	1/2015	HYBRID SCHEME FOR MEDIATION	
25	/8/2014	HEIGHT LOWERED, DESIGN AMENDED	
	/5/2014	PLANNING APPROVAL	
REV: D	ATE:	NOTE:	APP
			ARCHITECTS
			MATTHEW CRAWFORD
		CRAWFORD ARCHITECTS 140 STIRLING HWY NORTH FREMANTLE	FW
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WEE		www.mcarchs.com.au	₫
EMA	VIL.	contact@mcarchs.com.au	2
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J 12/3/2015 PRIVACY SCREENS ADDED
I 19/2/2015 FURTHER SETBACKS SCHEM

# **ROBINSON HOUSE**

NEW RESIDENCE AT No170 LITTLE MARINE PDE, COTTESLOE

**PLANS** 

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MAY 2014

CALE

1:100

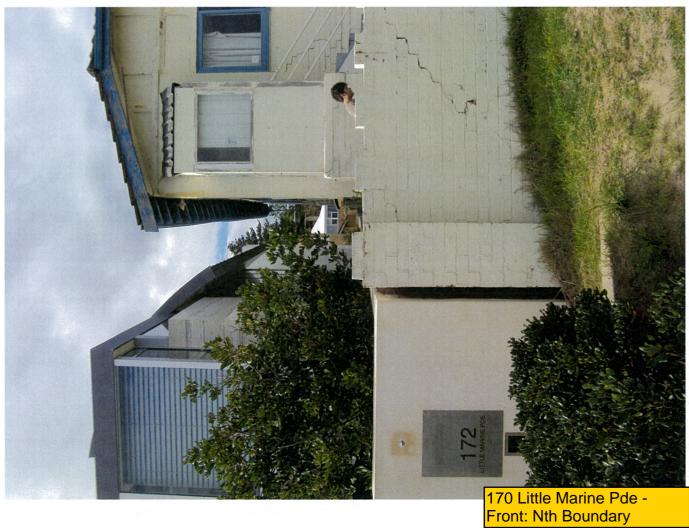
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170 Little Marine Pde - Front













170 Little Marine Pde -Street View

