

18 September 2018



Attn: Ed Drewett
Coordinator, Statutory Planning
Town of Cottesloe
PO Box 606
COTTESLOE WA 6911

ARCHITECTURE

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BY EMAIL

Dear Ed,

RE: 50A MARGARET STREET COTTESLOE – PROPOSED DEVELOPMENT – PUBLIC COMMENT

We write on behalf of our client Nicole and Richard Simpson with regard to the proposed development of 4 multiple dwellings on the abovementioned property.

Below is an outline on the main areas of concern for our client at Cottesloe;

Zoning

Multiple Dwellings require a minimum area of 450sqm per Strata Lot. In this case the upper floor strata would also include its portion of the Garage and Store which would form part of the overall Strata for that unit. We are unable to calculate the strata lot area however believe the proposal will exceed the strata lot area required for 4 apartment dwellings.

Side Boundary Setbacks

Our clients concern is overshadowing, visual privacy and amenity as commented below.

The setbacks for the walls without major openings appear to code. However the setbacks for the walls with major openings and Balcony appear to be inadequate as the setback is calculated on the overall building length. Unless Council is deeming having "laser cut powdercoated aluminium screens" reduces these windows to not being deemed "major openings". However the upper Balcony is still a major opening and should have a much increased setback of 7.300 unless Council is deeming a 1200mm high planter reduces this back to not being a major opening. The Planter is free standing and could easily be removed, in which case the overlooking aspect will be increased dramatically.

Overshadowing

The proponent will provide an overshadowing diagram for 12 noon, 21st June (winter solstice). Town of Cottesloe will assess this in accordance with the Residential Design Codes. We expect this will illustrate a significant shadowing to Emily's outdoor courtyard, western outdoor yard spaces and main entrance walkways. Our clients' residence was designed to take advantage of the Northern Sun Aspect. Noting the current property bulk and scale however, this development will impact the enjoyment of these spaces due to overshadowing.

Please also consider in your assessment there is considerable solar shadowing of the north facing walls and windows apart from the active habitable areas you have mentioned.

Overlooking

The proponent's floor levels are higher than our clients' adjacent property floor levels. There is concern with overlooking into Emily's courtyard, bedroom windows, bedroom highlight windows and the living and dining room highlight windows to the upper floor. It would be important for the proponent to take sections through the residence to confirm there is no overlooking within the 7.50m cone. The balcony screening looking south on the proposal is operable that will exaggerate the overlooking issue into these areas raised.

Open Space / Landscaping

Being a multiple dwelling in a R20 zone area, the Codes call for a 50% open space requirement for grouped dwellings. The objective of this is to promote low density, large setbacks to reduce the impact of bulk and scale that should be achievable to multiple dwellings in an R20 area. We cannot see how this objective is achieved.

Vehicle Movement

The proponent proposes x13 car bays (over x3 per apartment). This is a significant number of daily vehicle movements into a small laneway. We would be concerned with safety to other users in the laneway, measures to reduce speed, increased visual access to reduce conflicts and surface condition of the laneway and crossovers during and after construction of the development. Our client seeks measures to address these concerns.

Bulk and Scale

The development proposed is significantly larger in bulk and scale than adjoining and surrounding developments within the immediate locality. This impacts the streetscape in context against adjoining properties and should be seen as detrimental to orderly and proper planning in this locality. I don't recall seeing a streetscape view of the proposed development in the submission to more accurately consider this impact.

Retaining Levels

Whilst it may not be a planning consideration, the proposal alters the natural ground levels adjacent to the property at Margaret Street. This will require significant retention and retaining walls to support walls and fences without causing damage after and during the construction process. We seek a condition to require an independent loss adjuster to prepare the dilapidation report prior to works commencing on site.

We also note the spot level taken by our Surveyor back in 2008/9 in the south-east corner of the adjacent property is 520mm below that taken by the Proponents Surveyor which could have an impact on calculating the maximum allowable building height.

Should you wish to discuss this further or you require additional information, please do not hesitate to contact myself on 08 9212 8888.

Yours Sincerely,

DESIGN MANAGEMENT GROUP PTY LTD



Lindsay Allen
Principal

Cc. Richard Simpson,

18 September 2018

Mayor Philip Angers
Town of Cottesloe
109 Broome Street,
Cottesloe WA 6011

Dear Philip

**PROPOSED REDEVELOPMENT OF 50A MARGARET STREET, COTTESLOE - SUBMISSION FROM
NEIGHOURING PROPERTY**

I refer to the planning application for a proposed redevelopment of 50A Margaret St, Cottesloe into four luxury apartments adjacent to our family home at [redacted] Cottesloe. I live in this home with my wife, our two sons and daughter.

This letter is intended to express our view as effected neighbours to the immediate south of this proposed redevelopment and address issues that infringe on our amenity, privacy and safety - real issues for my family. We do not fully appreciate the nuances and intricacies of the planning regulations and guidelines and as such this will be addressed on my behalf in a separate technical submission by Lindsay Allen, Principal, DMG.

We note this development is proposing to maximize the commercial return on the property, exceeding the planning guidelines set in place by the Town of Cottesloe. Whilst we understand the commercial rationale for a redevelopment of this size and scale, it will have adverse effects on the amenity and quiet enjoyment of our house and the neighbourhood. We would like to set out these adverse effects to ensure the Council fully considers these issues in its deliberation.

1. **Fairness** - the Town of Cottesloe has developed clear guidelines and regulations for all ratepayers that are intended to preserve the economic and social balance required in our community. These regulations and codes have been in operation over a long period of time and effectively strike that balance. When we built our house some 6 years ago, we knew the regulations and abided by them and did not seek any exclusions. To do so would be effectively transferring some potential economic gain to us from some third party - which is unfair. This redevelopment proposal is seeking multiple exclusions from these well understood and tested codes that exist to protect all of us and not have one group disadvantaged over another. These codes are designed around fairness and balance and need to be adhered to as closely as possible. This commercial venture does not warrant any special treatment.

2. **Amenity** - our home was designed to take advantage of the northern sun aspect. The bulk and scale of this building will result in a significant shadowing to our home.. Specifically, it will result in overshadowing for our teenage daughter's outdoor courtyard, our western outdoor yard spaces and main entrance walkways. This development will impact the enjoyment of these spaces due to overshadowing. We also note that the proposed setbacks exceed the allowances and as a result lead to a very imposing and bulky development. There is no reason to allow these exclusions as they decrease the amenity, enjoyment and value of our home.

3. **Privacy** - The proponent's floor levels are higher than the adjacent property floor levels of our home. I am concerned with overlooking into my daughter's courtyard and bedroom windows, the highlight windows of our sons' bedrooms and the living and dining room highlight windows to our upper floor. These windows provide the only ventilation and natural light to our three children's bedrooms. I understand the proponent intends to apply mitigating factors but this needs to fully deal with our privacy concerns and be incapable of modification at some future point in time. It is important to note that the proponent intends to sell both the apartments next to our house. As such we will not be dealing with the proponent but with new (unknown) owners.

4. **Ambience** - The development proposed is significantly larger in bulk and scale than adjoining and surrounding developments within the immediate locality. This impacts the streetscape in context against adjoining properties and should be seen as detrimental to orderly and proper planning in this locality.

5. **Safety** - The proponent proposes x13 car bays (over x3 per apartment). This is a significant number of daily vehicle movements into a small laneway. I am concerned with safety to other users in the laneway, measures to reduce speed, increased visual access to reduce conflicts and surface condition of the laneway and crossovers during and after construction of the development.

6. **Open Space/Landscaping** - Being a multiple dwelling in a R20 zone area, the codes call for a 50% open space requirement. The objective of this is to promote low density, large setbacks to reduce the impact of bulk and scale of multiple dwellings in an R20 area. I cannot see how this objective is achieved with the plans as viewed.

In summary, we understand the commercial drivers for this development by the proponent and also understand that some will view this development as a contribution to increased density living. However, it must be considered for what it is - an oversized development driven by commercial return that is seeking numerous exclusions (zoning, encroachments, overlooking, overshadowing etc) that will have a number of adverse impacts on immediate neighbours and the overall street ambience. We understand that some mitigation is intended but not enough to ameliorate the significant number of outstanding concerns. We suggest you request the proponent resubmit a compliant proposal in accordance with the regulations that apply and exist for all of us - residents and commercial developers. If this redevelopment proposal was resubmitted on a compliant basis, we would welcome the initiative.

If you require further comment, I would be pleased to do so.

Yours sincerely

Richard Simpson

Anna and Tristan Pascall -

Cottesloe WA 6011

18th September 2018

Mayor Philip Angers

Town of Cottesloe

109 Broome St

Cottesloe 6011

Dear Philip

Proposed Redevelopment of 50A Margaret Street Cottesloe – Submission from “Neighbour within 50m”.

Whilst we are generally supportive of the new development for the above mentioned block and are willing to tolerate the necessary but inconvenient demolition and building process, we are concerned with the excessive request for exceptions for the regulations and rules with which all other homes and housing developments are required to adhere. Therefore, we'd like to lodge our concerns with regards to the scale of the proposed development and the significant increase in the use of the laneway to service additional proposed car spaces as it relates to the quiet amenity of our family home and our rear garden.

The proposed units appear to overstep reasonable expectations associated with the current zoning.

- As an R20 zone, the expected 50% open space for a multiple dwelling is not clearly adhered to.
- Low density living intention of this zoning is exceeded with 4 family units being planned.
- The 13 car spaces proposed for access from the lane only, is a concern with regards to additional noise and hazard to the normal quiet usage of this lane from garden gates by children and dog walkers should be considered. Especially with an underground car park planned which generally complicates entry and exits into the narrow laneway and will cause additional danger to foot traffic should there be more than one car accessing this at one time. Surely the road is the more appropriate entry/exit in this instance to accommodate the noise and manoeuvring expected with 13 cars.

It is felt that the exceptions being sought are excessive for the area and will impact on our ability to enjoy our family home and may have a negative impact on the value of our home should the current application be accepted.

Kind regards

Anna and Tristan Pascall

18 September 2018

Mayor Philip Angers
Town of Cottesloe
109 Broome Street,
Cottesloe WA 6011

Dear Philip

PROPOSED REDEVELOPMENT OF 50A MARGARET STREET, COTTESLOE - SUBMISSION FROM NEIGHBORING PROPERTY

I refer to the planning application for a proposed redevelopment of 50A Margaret St, Cottesloe into four luxury apartments adjacent to our family home at _____ Cottesloe. My wife and I live in this home with our daughter and two sons.

As neighbors situated immediately to the north of the proposed development, we write to you to address issues that infringe on our amenity, privacy and safety, these are significant issues that personally impact our family and our fellow neighbors in the street.

It would appear this development is exceeding the planning guidelines set in place by the Town of Cottesloe for commercial gain. Whilst we can understand the motivation behind the developer to maximize his return, it will have a significant and detrimental affect on the amenity and quiet enjoyment of our house and the neighborhood. I would like to set out these adverse effects to ensure the Council fully considers these issues in its deliberation.

1. **Fairness** - the Town of Cottesloe has developed clear guidelines and regulations for all ratepayers that are intended to preserve the economic and social balance required in our community. These regulations and codes have been in operation over a long period of time and effectively strike that balance. When we purchased our house some 14 years ago, we did so based on these regulations and the security they provided in preserving value and amenity to our lifestyle and property. This redevelopment proposal is seeking multiple exclusions from these well understood and tested codes that exist to protect all of us and not have one group disadvantaged over another. These codes are designed around fairness and balance and need to be adhered to as closely as possible. This commercial venture does not warrant any special treatment and to allow a variation to these codes would be materially unfair.

2. **Amenity** - The bulk and scale of this building will create an imposing structure that will look directly into our children's bedrooms back yard and outdoor living areas. This development will impact the enjoyment of these spaces due to an significant reduction in privacy. Our home was designed to take advantage of the views looking south to Fremantle down Margaret Street, We note that the proposed setbacks exceed the allowances and as a result will affect these views and lead to a very imposing and bulky development. There is no reason to allow these exclusions as they decrease the amenity, enjoyment and the value of our home.

3. **Privacy** - The proponent's floor levels are higher than the adjacent property floor levels of our home. I am concerned with overlooking into our main living areas and more importantly our bedrooms.

4. **Ambience** - The development proposed is significantly larger in bulk and scale than adjoining and surrounding developments within the immediate locality. This impacts the streetscape in context against adjoining properties and should be seen as detrimental to orderly and proper planning in this locality.

5. **Safety** - The proponent proposes x13 car bays (over x3 per apartment). This is a significant number of daily vehicle movements into a small laneway. I am concerned with safety to other users in the laneway, measures to reduce speed, increased visual access to reduce conflicts and surface condition of the laneway and crossovers during and after construction of the development.

6. **Open Space/Landscaping** - Being a multiple dwelling in a R20 zone area, the codes call for a 50% open space requirement. The objective of this is to promote low density, large setbacks to reduce the impact of bulk and scale of multiple dwellings in an R20 area. I cannot see how this objective is achieved with the plans as viewed.

In summary, we simply request the proponent resubmit a compliant proposal in accordance with the regulations that apply and exist for all of us - residents and commercial developers. If this redevelopment proposal was resubmitted on a compliant basis, we would welcome the initiative.

Please don't not hesitate to contact me directly should you wish to discuss further.

Kind Regards,

Scott Douglas

On 8 Oct 2018, at 11:07 am, Rob Scott <

wrote:

Hi Phil

I would like to place my backing for the proposed redevelopment of 50a Margaret St on record.

I know the old building and there will be no loss in its replacement. In fact, this represents an opportunity to provide 4 much needed apartments of good size within Cottesloe.

The domestic scale of the building and the proposal keeps four apartments in the area when there is pressure for higher density throughout Perth. By replacing four with four, the council can be seen to be helping in this regard, whilst two new individual houses add much less to this cause.

Looking at other houses in the adjacent Ozone Parade
, this proposal is much less imposing on the neighbourhood as it matches the scale and bulk of adjacent buildings.

Regards

Rob and Susie Scott

Cottesloe

On 8 Oct 2018, at 10:48 am, Steve Rogers

> wrote:

Cr. Rob Thomas

Re: 50A Margaret Street Cottlesloe

I am fully in favour of this proposal. It covers all aspects for what is required

- Attractive building
- Excellent undercover parking including guest parking
- Good tidy bin areas
- Lift access from parking to each unit
- Protection from the dreaded westerly sun and coast winds
- Sensible outdoor areas away from the problems of the elements
- Clever and attractive design to stop neighbours overlooking and visa versa

Messrs. Steve and Jo Rogers

On 8 Oct 2018, at 5:49 pm, "

wrote:

Dear Mr Mayor

My Grandparents and father have lived in Margaret Street all my life and at one stage, I also lived at 50a. Although I spent time overseas in my youth, I have fond memories of time in Cottesloe with my Grandparents and Dad. I met my wife, also a then Cottesloe resident, at the OBH when visiting my Grandparents nearly 15 years ago, we now live in Perth and I take my own children to "dog beach" at Vera view regularly.

I hope that Cottesloe can provide the different kinds of homes to suit people at the different stages in their lives so that families like ours can continue to reside there for many generations to come. I know my dad's roots are in Cottesloe and he has finally had the chance to design a home to suit his needs in a place he loves.

Dad loves the beach and outdoor life and now he is retired with grandchildren both here and overseas the idea of downsizing and have a secure lock up-and-go apartment in Cottesloe is important to his and Margot's lifestyle.

I think it might be good to note that that the charm of a shuttered beach residence has been captured and that although four units, the building appears as one. Dad as much as anyone wants to reflect the residential nature of the area.

Dad has undertaken large and sensitive developments of old Historic buildings in the UK and is aware of the neighbourly aspects of getting the planning right so he has explained the detail he has considered in overlooking, setbacks and the need to fit into the built environment. For my part, as a builder and having a degree in design, I understand this approach and commend the project for approval.

You may say, "I would say that" and dad is not always right, but he is this time.

Stuart, Karen, Max and Alexander Hawley