
Sent: 8/07/2021 12:52:03 PM
Subject: Submission DA2021/0744 K Conlon
Attachments: DA20210744 50 Lawrence Street.pdf;

Attention: Rebecca Englund

Dear Rebecca,

Please find my submission opposing DA2021/0744 50 Lawrence Street, Freshwater attached.

Regards,
Karen

Karen Conlon
14/33 Cavill Street, Freshwater, NSW
0468 925 900

Karen Conlon
14/33 Cavill Street,
Freshwater NSW 2096

8th July 2021
Northern Beaches Council
PO Box 82 Manly NSW 1665

Attention: Rebecca Englund, Planner

**RE: Submission on Proposed Development Application DA2021/0744
Lot 1 DP 571975 50 Lawrence Street Freshwater, NSW 2096
Description: Demolition works and construction of a Shop Top Housing**

Dear Rebecca,

I am writing this submission to oppose the development application DA2021/0744 for 50 Lawrence Street, Freshwater.

Please note that my properties correct address is 33 Cavill Street, not 33 Oliver Street as noted on page 4 of the DA, and my property is located within the notification map. Could you also clarify the name of the applicant, as Lawrence Street Nominees Pty Ltd does not appear to be a registered business with an ABN?

This property is situated directly across the road to the northeast of my apartment, and visible from my living room, open plan kitchen and balcony.

Firstly, I was surprised that this new development application has been lodged, as it is very similar to the previous one (DA2020/0543), which had numerous compliance issues and community opposition.

50 Lawrence Street is a reasonably small lot at 590 square metres. Currently there is one building which only takes up 50% of the land, and these premises are used for commercial purposes. Being only two storeys high on Oliver Street, it is currently occupied by a homeware store on the lower side of Lawrence Street, and offices upstairs.

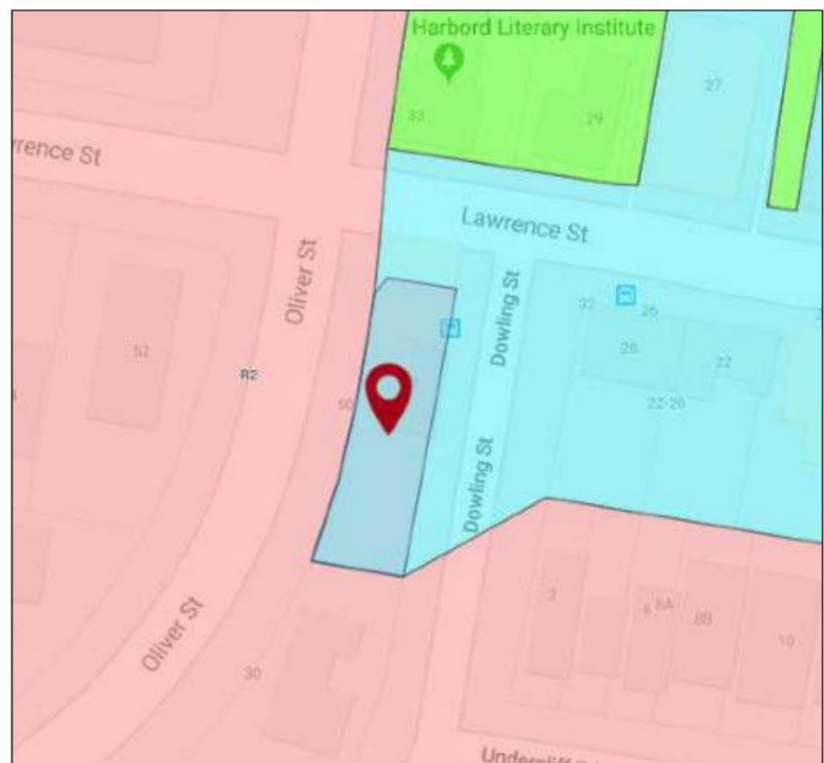
I never imagined that such large development could have been considered at 50 Lawrence Street, Freshwater, surrounded by three busy roads, and oppose that the existing small lot be transformed into a shop top commercial development with 11 residential apartments, over four levels and underground car park. The reasons for this include,

- this is inconsistent with the current use of the site - going from just commercial to include bulky shop top residential housing. The existing building now only takes up only 50% of the land
- the height is a major concern, going up two more floors, **with the plans illustrating that the proposed development is over 11 metres in height**, a breach as noted on page 18 of the plans master set
- and is not in keeping with the Freshwater Village DCP, being a maximum height of 3 storeys
- the layout and density of the proposed building is taking up the majority of the land which is bordered by three roads, and the proposed landscape area is inadequate (required 148sqm, proposed only 54sqm)
- the scale and design of the proposed development is also incompatible with all the adjoining and surrounding residential properties that are all in the Freshwater low-density residential zone (R2 zone)

LAND ZONING

LEGEND

| | |
|-----|------------------------------------|
| B1 | Neighbourhood Centre |
| B2 | Local Centre |
| B3 | Commercial Core |
| B4 | Mixed Use |
| B5 | Business Development |
| B6 | Enterprise Corridor |
| B7 | Business Park |
| E1 | National Parks and Nature Reserves |
| E2 | Environmental Conservation |
| E3 | Environmental Management |
| E4 | Environmental Living |
| IN1 | General Industrial |
| IN2 | Light Industrial |
| R1 | General Residential |
| R2 | Low Density Residential |
| R3 | Medium Density Residential |
| R5 | Large Lot Residential |
| RE1 | Public Recreation |
| RE2 | Private Recreation |
| RJ1 | Primary Production |



- The look and feel of the proposed development is a vast contrast to all the surrounding properties, and does not blend with the existing buildings including two **Heritage properties** - Harbord Literary Institute, opposite on the corner of Lawrence Street and Oliver Street & Early Childhood Health Centre, 29 Lawrence Street, Harbord.
- The proposed driveway placement will impact safety, due to the location surrounded being by three busy roads, and heavy traffic.
- Loss/relocation of bus stop on Dowling Street.
- The 'Urban Design Report' provided suggests that there has been 'restricted access into affected properties' to assess view impacts. I am not aware that those of us directly affected have been considered in this report.
- This development would affect all adjacent residential properties (including 33 Cavill Street, 52 Lawrence Street and 30 Dowling Street) in the following ways,
 - by impacting outlook, views and privacy
 - the development would bring about more noise from various sources, including traffic noise, due to the echo the building will create
 - will take away the current amount of green space, in keeping with the adjacent neighbouring residential properties
 - would therefore put more pressure on the limited car spaces to the west of the development
 - and consequently, would decrease residential property values

Hence, I also object to this development due to the impact it would have on my property, and property value for the following reasons,

- **I would lose my district views** - which are to the northeast overlooking Freshwater basin with an ocean vista. My view would be replaced by a bulky, unattractive building, including the 4 levels that would not have been possible in the Harbord Locality Guidelines at the time I purchased my property. Please refer to the photos attached below that show my current view.
- **It would impact my privacy** - directly with my living space, from my kitchen and living room.

Also, I dispute the comments made in relation to this in the following two reports.

Urban Design Report.

3. View Impacts NBC Comment: Discussions in the last couple of meetings was the request for a thorough view impact analysis in particular the impacts on the adjoining property to the south and view impacts to the properties to the west and subsequent view impact loss to the east. From the limited view impact analysis available due to restricted access into affected properties, it is anticipated that only first floor bedrooms of 30 Oliver St would be affected to a minor degree. Further review would necessitate photos of the actual outlook from affected rooms, and these already have significant vegetation in front of the windows. Consideration of district view impacts can be ascertained from the site analysis plan, and it would not appear in my opinion that there would be any significant view loss impacts from either 30 Oliver St or 52 Lawrence St.

I made a detailed submission on the 2020 DA2020/0543 and no one has been in touch with me or my neighbours at either 33 Cavill Street or 52 Lawrence Street to the west of this site in relation to this. Please see photos below.

Statement of Environmental Effects

I also dispute the conclusions in the, the 33F Town Planners Statement is incorrect in relation to **Views DCP Control D7** - Development is to allow for the reasonable sharing of views, encourage innovative design solutions and ensure existing canopy trees have priority over views. Having inspected the site and its surrounds and identified available view corridors we have formed the considered opinion that existing views from neighbouring properties will be retained. In any event, any view impact will not be as a result of any non-compliant building height element. Accordingly, we have formed the considered opinion that a view sharing scenario is maintained in accordance with the principles established by the Land and Environment Court in the matter of Tenacity Consulting v Warringah [2004] NSWLEC 140. Compliance – Yes ????

This does directly disrupt views and privacy to a number of residential properties, including mine. I don't believe that the impact on residents in 33 Cavill Street or 52 Lawrence Street has been reviewed correctly, and I would have welcomed this opportunity to demonstrate how this DA would impact my property.

Furthermore,

- **The impact my north-easterly sea breezes**
- **This would result in decreased resident and visitor parking**, which is already limited, including that on Oliver Street and to the west
- result in an increase in resident noise at night and weekends, from the residential apartments (that don't exist at the moment)
- I also have concerns for all residents and businesses in the community, due to the amount of noise and hazards to traffic that they too would have to endure with the scope of works proposed - including excavation of an underground car park

Thank you for considering all my objections, and please feel free to contact me if you require any further information in relation to the points I have raised.

Yours sincerely,
Karen Conlon



The power pole in right of this picture is lower than the height of the building within this DA, demonstrating that my entire district and ocean views would be taken, as well as my privacy.

The following two images are from within my open plan living space.

