
Sent: 4/06/2020 5:28:31 PM
Subject: Submission to DA 2020/0442
Attachments: 20 June - Objection Submission - 2020.442 - 231 Whale Beach Road, WHALE BEACH.pdf;

Dear Council

Please find attached our submission in relation to Development Application 2020/0442.

Regards

adam

Adam Byrnes

Director

P: 0419 288 899

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The General Manager
Northern Beaches Council

Attention – Lashta Haidari

Dear Lashta,

DA-2020/0442 – DEMOLITION WORKS AND CONSTRUCTION OF A MIXED USE DEVELOPMENT COMPRISING SHOP TOP HOUSING AND RETAIL PREMISES, WITH ASSOCIATED CARPARKING, LANDSCAPING AND STRATA SUBDIVISION

Think Planners are engaged by the owners of 24 The Strand, Whale Beach – Tania and Carla Wehbe. This submission follows a review of the application submitted to Council and that is currently under assessment. Our review reveals that the proposal warrants refusal in its current form as it exhibits a number of design features and resulting impacts on amenity and safety that are unacceptable. The impacts demonstrate that the proposal is an overdevelopment of the site. If the applicant does not withdraw the application, we request that Council move immediately to refuse the application.

It is noted that our clients do not have an in principle objection to the development of the land, and would welcome a well-designed proposal that is compliant with the planning controls and is cognisant of established planning principles that protect the amenity of neighbours and ensure that development makes a positive contribution to the neighbourhood.

The reasons for objection and justification for refusal of the application are discussed in turn in this submission; but in summary objection is raised on the following grounds:

1. Overdevelopment
2. Excessive Traffic and Parking
3. Excessive Bulk and Scale
4. Privacy Impacts

Overdevelopment

This letter will set out various individual objections to the proposal. However, it is important that the individual objections be understood also in a holistic manner. When taking into account all issues identified in this submission, and when taking a holistic

view of the proposal, it is clear that the proposal is an overdevelopment of the site; it is excessive in bulk and scale; it is convoluted in terms of its traffic and parking arrangements; it comprises excessive and unnecessary levels of excavation; it has inadequate landscaping qualities and deep soil provision; and it has unreasonable impacts on neighbours.

Any holistic analysis of the proposal confirms that it represents an overdevelopment of the site, and that the site is incapable of containing a development of such bulk and scale without causing unacceptable environmental planning impacts.

We urge Council to give significant weight to the merit assessment of this application having regard to this cumulative impact. While an assessment against the prescriptive criteria will reveal areas of non compliance, we rely on Council also making a merit assessment of the development proposal against the context and character of the Whale Beach village and the dominant landscape character that pervades the area. We do not accept that this location is appropriate for a standard shop top housing development of such bulk and scale that would be more appropriately located on Pittwater Road in the Dee Why town centre. A nuanced design is required in response to the character of the Whale Beach Village and the appropriate density and scale for this place.

Traffic and Parking

It is inexplicable that a site of 844.7m² and that proposes only five (5) residential apartments and three (3) modest retail premises seeks to provide two (2) driveway crossovers that serve two (2) disconnected basements and these crossovers are separated by a mere approximate 10m. Not only are the two (2) crossovers immediately proximate to each other, they are of inadequate width and at the point of the site where there are the most pedestrian traffic movements. Further, the driveways are proposed on a steep road and on a sharp corner.

The issues arising from the parking arrangements are self evidently congestion and safety.

To exacerbate the issue of poor design and parking arrangements, the proposal for five (5) residential apartments and three (3) modest retail premises proposes nineteen (19) carparking spaces. The provision of parking is excessive and the consequential number of traffic movements is excessive.

The photomontage that accompanies the submission proficiently illustrates the safety issue by locating two gentlemen, each holding a child, at the two points where the vehicle conflict with the pedestrian environment is prevalent. (Think Planners have added the highlight to the extracted image below). The photomontage demonstrates the issue of multiple driveways in close proximity, but does not illustrate the issue of

traffic conflict that arises from the two driveways being single lane in width and that would inevitably lead to cars queuing in the street whenever there was the need for a car to exit and a car to enter the site at the same time. Queuing of traffic on Surf Road which is steep, and on this part of Surf Road that has a sharp bend that restricts site lines is completely unacceptable.



Should any proposal be acceptable on this site the future design would need to provide a single and safe crossover, that enables cars to enter and exit at the same time, and that serves a reduced number of car parking spaces.

The safety issues for this site are exacerbated by the sites location adjacent Whale Beach. Whale Beach is an area that has a high volume of pedestrian use, when both locals and visitors are walking to and from the beach. Of particular note is that Whale Beach has a significant number of visitors who are new to the area and who do not benefit from any local understanding of traffic movements. It is contingent upon Council to be mindful of the safety of people in these circumstances.

The current proposal must be refused by the Council on the basis of –

- Excessive parking
- Excessive driveway crossovers
- Conflict arising from vehicles unable to pass one another, and inevitable congestion to Surf Road.
- Lack of safety in design for vehicles travelling on Surf Road and pedestrians in the vicinity of the site.

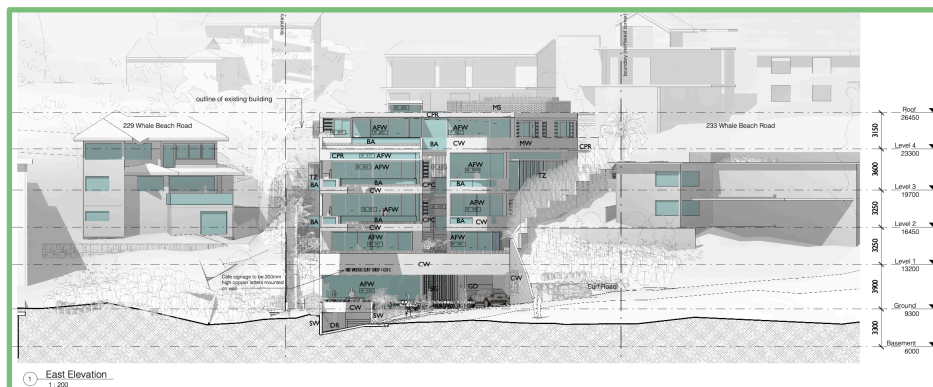
Bulk and Scale

This excessive bulk and scale of the proposal is ably illustrated in the eastern elevation submitted to Council (extract from submitted plans shown below).

The scale of this building is entirely inconsistent with the surrounding and adjoining development. The area is characterised by houses in landscape settings. A number of these comparable built forms are grand in their proportions and gross floor area, yet are well designed and provide significant areas of deep soil and generous amounts of landscaping. Furthermore, the scale of such developments in the area are broken down through the use of pitched roofs, building articulation and modulation of mass.

The proposal will dominate the visual landscape and fails to incorporate into the design the character sought by the planning controls as the building does not step down or along the slope; the building does not integrate with the landform and landscape; and the building does not minimise site disturbance.

The extent of site coverage proposed fails to allow for adequate areas of deep soil or significant landscaping. The outcome is that the excessive bulk and scale of the building provides additional “self harm” by taking up deep soil space where landscaping may have been used to screen and break up the excessive bulk and scale.



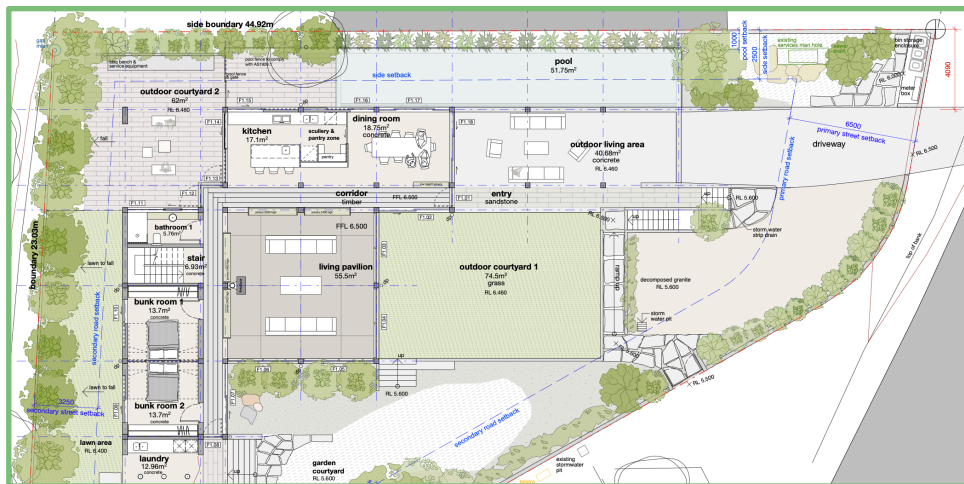
Loss of Privacy

As noted above, our clients own 24 The Strand. The proximity and geographical relationship between the development proposal and our clients land is shown below. Our clients have commenced work on their approved dwelling.

Our clients appreciate, accept and encourage that any proper redevelopment of the subject site would capture views of the beach and Pacific Ocean. No objection is raised to windows and balconies facing north and east to capture the iconic and beautiful views.



However, the design of balcony edges and balustrades is of critical importance to our client in the protection of their privacy. The subject site is substantially elevated above our clients property and separated by only by the open area of Surf Road. Without careful and skilful design of the outlook, windows and balconies, then the proposal will have direct and immediate views into our clients areas of private open space which is designed as integrated indoor and outdoor space (as demonstrated in an extract from the approved plans below).



The proposal before the Council does not adequately incorporate design measures that will provide the right outcome of protecting our clients privacy and at the same time giving views from the proposal to the beach and ocean. As can be seen in an extract of the submitted photomontage (Think Planners have added the highlights), the balcony treatment and window treatment fail to give consideration to the protection of privacy of immediate neighbours.

The design of the balcony balustrades are inconsistent throughout. It is inappropriate that balustrades be of clear glazing that permit immediate angled views downwards towards our clients indoor/outdoor areas of private open space. Balustrading must be obscured glazing or other visually solid material. Concern is also expressed as to whether the “boxed window” elements on the apartments are designed to prohibit views to our clients property. In the absence of any certainty in relation to these features, the open nature of these windows are objected to on the basis of privacy impacts to our clients.



Conclusion

Having reviewed the application, Think Planners are of the view that the proposal warrants refusal in its current form.

The proposal fails to preserve the environmental amenity of the neighbourhood and is not compatible with the existing character of the neighbourhood, nor responds to the desired future character expressed in Councils planning controls.

The proposed traffic and parking arrangements are a poor response to the sites location and the sites geography. The dual driveway widths, proximity and location on the bend will result in traffic conflict and will prejudice pedestrian safety. The number of parking spaces proposed is excessive and unwarranted.

The proposal is excessive in bulk and scale.

The proposal has not considered in its design adequate measures to protect the privacy of our clients at 24 The Strand, Whale Beach.

The proposal does not respond to the particular characteristics of the site or the area. A more considered and site responsive design is possible and should be required of the applicant.

If a new application is submitted to Council, or amended plans, we request the opportunity to review such additional information. If no additional information is submitted, the application is for a development that fails to contribute to the streetscape or neighbourhood and impacts upon the amenity of neighbours and must be refused.

Should you wish to discuss the above, I can be contacted on adam@thinkplanners.com.au.



Adam Byrnes
4 June 2020