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Nick Keeler
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Northern Beaches Council
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Dear Nick Keeler,

After discussions with Council representatives we are providing updated documentation of a revised design for the proposed new dwelling at 1162 Pittwater Rd, Collaroy.

The amended design aims to directly address key issues that were raised by Council with regards to an acceptable level of view sharing between neighbouring properties of the Iconic views towards Narrabeen Headland to the North and Longreef Headland to the South.

To address these concerns we have increased the effective rear setback of the proposed dwelling and removed obstructions of these views from the design through the following key changes:

1. Shifting the dwelling towards western boundary (Pittwater Rd).
2. Redesigning elements on the eastern facade of the dwelling to allow for more open sightlines from both the ground floor and, to a greater extent, the first floor of adjacent dwellings.
3. Removing the proposed tall landscaping elements from the rear of the property that could impact neighbouring views.

The scope of the above changes has been informed directly by feedback from Council, who provided specific requirements to be able to deem the proposed dwelling acceptable from a view sharing perspective. Council primarily identified that the existing views of the Iconic Long Reef Headland from the easternmost spaces of the dwelling at 1164 Pittwater Rd, in particular the view from the first floor balcony, were the key views that were unreasonably impacted on by the proposed development.

To address this impact Council has required that the setback to the Eastern boundary of the proposed dwelling be increased such that the proposal extend no further than 1m east of the neighbouring balcony at 1164 Pittwater Rd. In addition to this, it has also been requested that all trees and tall elements of landscaping that may impact views be removed from the proposed design and that the dwelling still maintain a setback of at least 2.5m from the Pittwater Rd boundary.

To meet the built form requirements outlined by Council, the rear setback of the proposed dwelling has been increased by a minimum of 1510mm at the ground floor level and 2275mm at the first floor level. The two vertical concrete elements that frame the Eastern facade were also reduced in scale and tapered vertically to allow for more open sightlines from the first floor of neighbouring properties. At their base the elements were reduced in depth by 425mm, with the form tapering to and twisting to become flat at the top, aligned with the ground floor glazing line. The visualisations in the attached appendix show an approximation of the effect of these changes, reducing the impact of the proposed dwelling on these specific views to effectively nil from the first floor balcony.

The consequence of these changes is that the proposed dwelling has a substantially larger setback from the eastern boundary of 29.165 metres to the line of enclosure than the neighbour to the North to be able to maintain the existing Iconic views of Longreef Headland. Council is establishing a principle that the value of the views of this headland is great enough that development should be restricted to avoid further impact. It should be noted that in the future these views will be similarly available and valuable to the owners of 1162. From our discussions with Council we understand this proposal is viewed as a landmark application, due to the proximity to Collaroy beach and recent coastal protection works, and will set a precedent for the assessment of future development in similar circumstances.

We look forward to hearing your response to the revised submission. Please feel free to contact us directly if you have any further questions or comments on the proposal.

Warm regards,

Stephen Clement

APPENDIX A – ADDENDUM TO VIEW SHARING ANALYSIS

To better understand and address the impact of the proposed development on view sharing of the key views towards Long Reef Headland the following visuals were prepared to approximate the currently available views and any impacts a proposed development would have on these.

Analysis

Below in Figure A is a visual showing an approximation of the view from the first floor balcony of 1164 Pittwater Rd of the original DA design in context. The camera for the view is positioned in the centre of the balcony, near the line of enclosure at an approximate standing eye level. The balcony itself of 1164 has been removed from the visual for clarity:



*Figure A – Approximation of View from 1164 Bedroom Balcony
(Original DA Design)*

From the above visual, we can see that the original DA design (shown in white) has obscured part of the otherwise visible headland, with the apartment building at 1150 Pittwater RD to the South blocking views of the remainder (shown in grey). The primary element of the proposed design that is obscuring the view is the column element in the corner of the Eastern Facade.

In Figure B the amended DA design is shown from the same view for comparison:



*Figure B – Approximation of View from 1164 Bedroom Balcony
(Amended DA Design)*

When comparing the amended design shown in Figure B to Figure A we can see that the view of the headland is retained and the proposed dwelling has no impact on the view of the headland from this angle. This can be further illustrated by comparing Figure B to Figure C below, which shows the same view with no dwelling on 1162:



*Figure C – Approximation of View from 1164 Bedroom Balcony
(No Dwelling on 1162)*

In comparing the above Figures, we can see that any view of the headland that the amended design would obscure is already obscured by the existing apartment block located at 1150 Pittwater Rd.

To further show that the amended design is particularly generous with regards to the sharing of views towards Long Reef Headland, in Figure D we have prepared the same visual, but with the proposed design replaced with a replica of the existing dwelling located at 1164 Pittwater Rd:



*Figure D – Approximation of View from 1164 Bedroom Balcony
(Proposed Design Replaced With a Replica of The Existing Dwelling at 1164)*

We believe that Figure D clearly illustrates that some impact on the views towards Long Reef Headland from 1164 Pittwater Rd would be entirely reasonable, as a dwelling of the same form and position as the dwelling that the views are available from would partially obscure the headland.

It should be therefore observed that the proposed dwelling in the amended DA design is being particularly generous with these specific views as it has far less impact than the replica dwelling shown above.

Conclusion

Although the originally proposed design for the new dwelling at 1162 Pittwater Rd complied with the relevant planning controls and maintained a similar rear setback to the existing developments in the block, it did have some impact on one key existing view obtained from 1164 Pittwater Rd, the iconic view of Long Reef Headland from the first floor balcony.

There are a number of factors to take into consideration when looking at the nature of these existing views. First and foremost the *Tenacity v Warringah* Principles make clear several factors that should be considered in relation to these views.

- Partial views are less valuable than whole views – The apartment building at 1150 Pittwater Rd already partially interrupts the views of Long Reef Headland

- The protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries – The view in question is obtained across a side boundary
- The impact on views from living areas is more significant than from bedrooms – The key view identified is obtained from the balcony of a first floor bedroom.
- A development that complies with all planning controls would be considered more reasonable than one that breaches them – The proposed development complies with the relevant planning controls.

In addition to the above, the currently available views are being assessed at quite a misleading point in time. Prior to the recent demolition and clearing of existing landscaping from the site, a large clump of palm trees and a series of other taller vegetation obscured most of the views towards Long Reef Headland. Similarly, these views are being observed shortly after the construction of the coastal protection works and associated works to the rear of the properties between Stuart and Wetherill Streets. Due to this, most properties have only recently started to landscape and revegetate the rear yards. It is unlikely that these existing views will be as clear as they currently are once owners have a chance to landscape and vegetate their backyards as they see fit.

With the above context and factors taken into consideration, it is impossible to view the amended design for the proposed dwelling as anything less than providing a generous sharing of views to the neighbouring properties, particularly 1164 Pittwater Rd.

APPENDIX B – NOTES ON COASTAL ASSESSMENT REPORT

Peter Horton, the Coastal Engineer for the project, made the following comments based on the amended DA design with regards to the Coastal Assessment Report submitted to Council with the original application:

“Shifting the building landward and modifying the columns do not alter the conclusions in my previous report.”