
Sent: 21/03/2019 12:31:15 PM
Subject: Objection to Proposed Development Lot 100 DP 615225 - Property 11-13
Cook Street, Forestville - Application No. DA2019/0108
Attachments: WA-100520-19-3-1 Letter to Northern Beaches Council.docx;

Dear Sirs,

Please refer to **attached** letter from Tai Samuel Lyall Irwin & Metter Irwin, the owners of properties 5 & 7 Cook Street, Forestville.

Regards

Wendy Armstrong
Walker Hedges & Co Forestville
Solicitors
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Mr & Mrs T Irwin
5 Cook Street
FORESTVILLE NSW 2087

21 March, 2019

The Development Assessment Team
Northern Beaches Council
Via email: council@northernbeaches.nsw.gov.au

Dear Sirs

Objection to Proposed Development Lot 100 DP 615225
Property: 11-13 Cook Street, Forestville
Application No: DA2019/0108

We, Tai Samuel Lyall Irwin and Mette Irwin are the owners of properties 5 & 7 Cook Street, Forestville. These properties adjoin and abut part of the boundaries of properties 11 & 13 Cook Street, Forestville.

As adjoining property owners, we wish to object to the above application on the grounds as set out below:

Height

1. The proposed building listed in the application is in excess of the current maximum height control limit of 8.5 metres. As such, we submit that there are no grounds for the Council approving the height of the building exceeding the maximum permissible height.

As to the proposal seeking to construct a building to exceed the maximum height controls, we note that the objectives of Council's current height controls are, inter alia, to; "ensure that buildings are compatible with the height and scale of surrounding and nearby developments"; to "minimise visual impact, disruption of views, loss of privacy and loss of solar access"; and to "manage the visual impact of development when viewed from public places such as parks, reserves, roads and community facilities".

All of the properties presently constructed in Cook Street and, where they adjoin the property, the subject of the application, as front Warringah Road, are either single story or two story properties. The application to construct a three story property (exceeding the allowable two story) will result in a building substantially higher than any adjoining or adjacent property and will, therefore, be visually dominant and have a detrimental visual impact as a consequence of its height and bulk. As such, we submit it is an entirely inappropriate proposed development which would; overshadow our existing buildings; result in the loss of privacy; have an adverse impact on the scenic quality of the local environment; and will be the dominant building and feature to be observed when viewed from public places.

There is nothing in the application which justifies these adverse impacts being ignored or overridden in favour of the proposed excess height and, as such, the Council development standards should not be overridden and, instead, should be observed and, on this basis, the application should be rejected.

2. The proposed development being one for up to three stories in height is non-compliant with the existing development control standards which prescribe a

maximum of two stories. None of the properties adjoining or nearby to the development exceed two stories and, as such, if approved, the development will result in a monolithic, overbearing, overshadowing and overly dominant structure being constructed. A building of this height, scale and bulk is entirely out of character and, therefore, not compatible with the existing buildings and structures in the area.

Signage

3. The application shows only basic details of proposed signage, however, those details alone show proposed signs that will be extremely dominating and visually intrusive because of their proposed size and location. In addition, the signs being on boundaries immediately adjoining our properties will dominate and detract from the visual aspect of our buildings. As such, the proposed signage will have an adverse impact on the visual amenity of the area and should be rejected on that ground.

Loss of Setbacks

4. The proposed development shows buildings being constructed to the extremities of the boundaries of the property. Whilst we acknowledge the buildings are in a commercial/light industrial area, this should not justify buildings of this scale and bulk being allowed to be built to the extreme limits/boundaries of the property as it results in a building that is overly bulky and denies any airflow or light to be provided between existing buildings. The new structure will, thus, dramatically diminish the amenity of the adjoining properties and result in a scale and bulkiness that is out of character with the existing environment.

Hours of Operation

5. The application notes the proposed hours of operation are for a twenty four hour a day facility. This is a major increase from the existing operation hours of Monday to Friday 6.30am to 5.30pm, Saturday 7.30am to 4.00pm and Sunday 9.30am to 3.00pm and public holidays 9.00am to 2.00pm. As such, this will result in a definite degrading of the amenity of the local area by causing increased traffic flow during evening hours and occasioning noise emanating from persons accessing the facility during evening hours when sound travels much greater than during the daylight hours during which sound would also be absorbed into background noise. As such, we submit the application should be refused on the basis that it will have a major adverse impact on the amenity of the area.

Yours sincerely,

Tai Samuel Lyall Irwin & Mette Irwin