
Sent: 10/08/2023 10:51:52 AM
Subject: DA2023/0995 Submission.
Attachments: Perry.docx;

To: Adam Croft
Principal Planner
Northern Beaches Council

Dear Mr Croft

Please find attached my comment submission on DA2023/0995.

Yours sincerely

Frank Perry

58 Brighton St
Freshwater 2096
9th August 2023

Adam Croft
Principal Planner
Northern Beaches Council
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Subject: DA2023/0995
52 & 54 Brighton St Freshwater
Senior Housing Development

Dear Mr Croft

I refer to your letter of 27th July 2023 and wish to identify the following issues of concern in relation to the subject development.

1. Flooding.

Brighton St and adjacent streets including Bennet St have been subject to flooding for many years (I have photo evidence). In the most recent flood, surrounding residents have suffered damage to their houses, furniture and other household possessions costing them, in many cases, thousands of dollars. While the developers have acknowledged the flood issue and have put in place measures to attempt to protect their development from flooding, the proposed development, if implemented, will only make the flooding situation worse for the surrounding streets and residential properties.

- According to their plans¹ the developer will remove the existing Council stormwater drain and easement that currently crosses the land of the proposed development. They propose to replace it with a 750 mm drain along the eastern side of the development with some areas feeding into a series of “stormwater quality improvement devices” including pumps. However, the majority of the development’s drainage is proposed to be connected to, and feed into the Council’s existing 675mm drain in Brighton St. This stormwater drainage has proved inadequate in the past causing flooding in Brighton St and beyond. (Again, I have photo and video evidence).
- The development will replace two houses, their large gardens and one swimming pool, with two buildings that have huge roof areas, balconies, substantial paved open access areas, paved boundary edges setbacks and two swimming pools. Therefore, the development will collect substantially more rain and stormwater than the previous two houses. Despite efforts by the developer the additional water collected will still ultimately flow into Brighton Street and beyond and only add to the already flood prone streets.
- If the development proceeds, the same amount of ground stormwater will flow across and around the development’s area and into Brighton St. The developer has sought

¹ cf: Developer’s “Proposed Flood Water and Easement Plan”

to improve the situation by proposing to construct a long flood wall on the development's east side and a shorter flood wall on the western side. However according to the developer's own flood report, substantial surface rain and stormwater will flow down the east side of the property at an increased speed before entering Brighton St and beyond. It will also flow down the west side of the property. The western flood wall will offer some protection to houses in Waratah Street from ground stormwater but again it will ultimately flow into Brighton St and beyond with the same or worst flooding impacts on neighbouring streets. It will quite possibly flow into the development's 26 car garage plus one electric vehicle charging bay² through the open driveway entrance or other means.

2. Bulk, Scale and Sun Shading of the Proposed Development.

Because the two, three story buildings are set within low-density residential buildings in Brighton, Waratah and Robert streets, their bulk and scale is obviously excessive.

- Driven by the developer's need to protect the proposed development from flooding,³ the height of both buildings is excessive and appears to exceed the heights required under planning controls. Even the developer is seeking a variation request to planning controls to have the additional height accepted. There appears no regard for the height impact on surrounding buildings and residents.
- Despite the limited sun shading diagrams prepared by the developer, the size and bulk of the two interconnected buildings will have a detrimental effect on the sunlight available to the surrounding single-story houses. This would particularly apply to adjacent residences on the eastern side of Waratah St where no high buildings currently exist and, as demonstrated in the developer's shading diagrams, houses to the east of the development will experience additional shading for the same reason.
- The size and bulk of the development will also have a detrimental impact on sunlight reaching the south facing balconies of the development itself (i.e., facing Robert St) and parts of its garden and swimming pools. The lower balconies could experience shade for long periods!

3. Inadequate Visual and Acoustic Privacy

The developer has stated⁴ that "The proposed development does not result in any adverse impacts upon the amenity of adjoining properties and the siting of the development is consistent with that reasonably anticipated on the site."

This is clearly incorrect.

- The Macquarie Dictionary describes amenity as "features, facilities or services of a house, estate, district etc which make for a comfortable and pleasant life."

² Source: Developer's Basement Plans dated 4/7/23

³ Cf: Developer's "Statement of Environmental Effects" July 2023. Page 16.

⁴ Ibid Page 20.

- Construction of the development will result in the residents living on the eastern side of Waratah St and backing on to the development, facing high brick walls with an estimated 17 windows where none existed before. This would allow residents living in the development to look into their backyards and decks 24 hours per day. Similarly, residents of Brighton St on the development's eastern side will have an estimated 15 windows and an external staircase looking into the length of their properties where only approximately 4 windows from a single property currently look.
- Residents in Brighton St opposite the development, are facing a driveway where 26 vehicles can enter and exit at any time at will during each day. Headlight of vehicles leaving the development will point directly into the houses at night.
- Residents surrounding the development in Brighton, Waratah and Robert St will be impacted by noise from the balconies and the two rooftop terraces planned for the development. This will be accentuated by the position of "Outside Kitchens" proposed to be located on all the balconies and clearly shown on the plans. Waratah St residents will also be impacted by 24/7 pedestrian movements on the top and bottom landings connecting the two buildings.
- Residents of Robert St will have their amenity reduced by the noise from the two swimming pools located close to their back fences, particularly during the summer months.

4. Unreasonable obstruction of Views.

The developer has stated⁵: "The proposed development has a 2-storey presentation to Brighton Street with the form and massing proposed complimentary and compatible with surrounding development ..." and "(the) building (is) broken into two separate pavilions and the development otherwise appropriately articulated to minimise visual impacts as viewed from adjoining properties.

This is also clearly incorrect.

- Residents on the eastern side of Waratah Street adjacent to the subject land currently enjoy views from their gardens and back decks which vary from pleasant treescapes to expansive views of the neighbourhood looking east. All these views will disappear and be replaced by a view of two, high rise, over height, interconnected buildings. Most Robert St residents who are adjacent to the site and currently enjoy leafy outlooks will find themselves looking into a two-storey building and communal area including balconies and two swimming pools. They will also lose amenity as set out in Section 3, dot point's 3 and 4 above.
- The developer has identified 56 trees on the land to be developed of which 20 trees will be removed for the development. Many of the trees to be removed have for years enhanced the views of residents in Brighton and Waratah St. In particular, one large tree designated for removal and identified as an *Agonis flexuosa* is reputed to be one hundred years old.

⁵ Ibid Page 4.

5. Traffic

Vehicle and pedestrian movements and vehicle parking in Brighton St between Oliver St and Harbord Rd have increased substantially in recent years. This is due to several factors including the expansion of Freshwater Senior Campus and Harbord Public School; additional services on the city bus route which runs down the street; use of Brighton St in peak periods as part of a “rat run” by commuter’s vehicles to avoid Pittwater Rd; providing access to the increased number of sporting events at Harbord Park (day and night); the large number of addition houses built on battle axe land blocks in the street and increased vehicle ownership by people living in the street including the over 50’s development at 30/32 Brighton St.

- The proposed development, with its 26-vehicle carpark will generate even more traffic. This will include the residents, their visitors, delivery vehicles etc etc.
- Large numbers of vehicles now park in Brighton St and Waratah St. This is due to the spill over parking from Freshwater Senior Campus, commuter’s parking and accessing the commuter bus service to the city and the increased numbers of resident’s vehicles and their visitors parking in the street. As a result of the parking, often two vehicles cannot pass side by side. If the development goes ahead, the parking situation can only expect to get worse. Take a look at the on-street parking outside the over 50’s development at 30/32 Brighton St. (Who at least have somewhere to park the caravan off street!)
- Vehicles leaving the development’s carpark will create yet another hazard for both vehicles travelling in the street and pedestrians, including school children who traverse the street by foot and (often electric) bicycle.

6. Disruption to Brighton St During Building Process

If it proceeds, the large-scale development will involve the demolition of two large and substantial homes and gardens including a swimming pool and the destruction of 20 trees, and many plants, and shrubs. Construction will involve a substantial excavation, almost of the entire site, and the building and fitting out of two large interconnecting buildings. The process will obviously take many months.

- I object to the long-term disruption that the demolition and construction will bring to the surrounding streets and neighbourhood if approved. This will undoubtedly include substantial dust, dirt, and noise, particularly from drilling the excavation. In addition to the current parking in the street it will be full of tradesmen’s trucks and vans and truck deliveries for months. All this for a building which is completely incompatible with other residences in the street.

For the reasons set out above, this development should be refused.

Yours sincerely
Frank Perry