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RE: DA2020/0393 - 28 Lockwood Avenue BELROSE NSW 2085

25th May 2020

9 Lockwood Avenue
Frenchs Forest NSW 2086

Re- DA 2020/0393- 28 Lockwood Avenue, Belrose

As Owners of a property in Lockwood Avenue we wish to strongly OBJECT to the proposal submitted before Council.

The subject site is located within Councils B2 Local Centre zoning under WLEP2011. The application proposes the demolition of the existing structures on the Site and the construction of a mixed-use development comprising retail premises, a recreation facility (a gym), shop top housing with 51 dwellings, basement carparking and landscaping.

While the proposal does comply within some of the of the Objectives of the B2 Zoning it certainly does not "create urban form that relates favourably in scale and in architectural and landscape treatment to neighbouring land uses and to the natural environment." Nor does it "minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of any adjoining or nearby residential land uses." It is not in keeping with the size, scale nor architectural feature along the Lockwood Avenue streetscape. This street is a mainly residential street comprising of single and two storey dwellings, along with St. Stephens Church and kindergarten, all with 6.5m front landscaped street setbacks.

The applicant of this proposal states in their Statement of Environmental Effects (SEE) that the proposal is "consistent with the objectives of the B2 Local Centre Zone as it provides a range of new retail and business tenancies to serve the needs of people who live, work and visit the area." However, with empty shops at both Glenrose Shopping Centre and Forestway Shopping Centre these new areas are not warranted. Another gym is certainly not needed with two others within 150m of the site. The proposal does not "adopt a compatible built form to the numerous street frontages and varying surrounding contexts" at all. It is not in keeping with the residential buildings on Lockwood Avenue nor does it fit in with the low level Glenrose Shopping Centre.

The WLEP2011 also sets out clear objectives with regards to heights. This proposal does not "ensure that buildings are compatible with the height and scale of surrounding and nearby development" nor does it "manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities". The WLEP2011 also states that "The height of a building on any land is not to exceed the maximum height shown

for the land on the Height of Buildings Map." In this case the overall height is to not exceed 8.5m. The proposal clearly does not comply with this metric as a good portion of the proposal exceeds this height.

Further to the WLEP the WDCP2011 also sets out clear guidelines for this site. Under B2 relating to Number of Storeys the proposal does not adhere to the following aims and objectives:

- To ensure development does not visually dominate its surrounds.
- To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.
- To ensure a reasonable level of amenity is provided and maintained to adjoining and nearby properties.
- To complement the height of buildings control in the LEP with the number of storeys control. The proposal as viewed from Lockwood Avenue and the public space is certainly not in keeping with the above.

The applicant states in the SEE that the maximum overall height is indeed 12.42m for one of the central lift overruns. It also clearly indicated in their Clause 4.6 that the third level facing Lockwood Avenue sits almost entirely above the 8.5m height limit. This is NOT consistent with the remainder of the street, therefore their argument to vary the standard relating to height is not justified.

Their SEE goes on further to state "Buildings greater than 2 storeys are to be designed so that the massing is substantially reduced on the top floors and stepped back from the street front to reduce bulk and ensure that new development does not dominate existing buildings and public spaces. The proposed third storey to Lockwood Avenue is significantly setback from the front building line to reduce mass and provide an appropriate transition to the residential nature to the southwest. The proposed development does not dominate existing buildings and public spaces." How can a three-storey element in a street consisting of mostly single storey (and a few two storey) dwellings not dominate the existing building and public spaces? The Urban report prepared by RobersDay(RD) further states "The Lockwood Avenue frontage presents as single storey retail shopfronts providing an elegant transient from the residential street. Upper levels are setback to largely align with the houses beyond the adjoining reserve." While the retail is only single storey it sits hard on the street frontage- this cannot be and is not elegant nor does it provide any sort of transition from the adjoining residential dwellings.

WDCP2011 provides guidelines for front, side and rear setbacks. The subject site comes under a merit assessment for these setbacks. The objectives for the front setback are:

- To create a sense of openness.
- To provide opportunities for casual surveillance of the street.
- To provide opportunities for deep soil landscape areas and aesthetic improvements.
- To protect and enhance the visual quality of streetscapes and public spaces.

The proposed street frontage to Lockwood Avenue fails to satisfy any of these objectives. The proposed façade sits virtually flush with the street boundary. This will not create a sense of openness at all, it will not help with casual surveillance of street and it does not allow for any deep soil landscape areas along Lockwood. In fact, the proposal will be removing some mature trees that define the streetscape which we currently enjoy. The proposal will destroy the current streetscape and not enhance it in any way.

In the SEE submitted it states that "the frontage to Lockwood Avenue adopts a minimal setback that follows the contour of the boundary. This results in an active streetscape befitting the retail tenancies fronting Lockwood Avenue." There is no need for retail to be fronting

Lockwood Avenue. It is a residential street and as such should be a residential frontage. The SEE goes on further to state "the two upper residential levels are setback 6m from the front boundary, with minor articulation and balconies provided at 5m. The units on Level 1 have landscaped private open space that extend above the retail tenancies below, allowing for surveillance and passive interaction with Lockwood Avenue. The proposed setbacks are satisfactory on merit as they appropriately balance the retail activation of the street in a local centre with a modest scale and bulk addressing the predominantly residential nature further along Lockwood Avenue." This is not of a modest scale at all. There are no constructions of three storeys in height along Lockwood Avenue. The roof top style open spaces facing towards Lockwood Avenue are not in keeping with the streetscape. All along the street sit landscaped front yards with rear outdoor entertaining areas. This development is introducing front areas for recreational use which is not in keeping with the amenity of the street.

The Council also sets out guidelines for building bulk that have not been adhered to. These objectives and requirements are:

- To encourage good design and innovative architecture to improve the urban environment.
- To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.

Side and rear setbacks are required to be progressively increased as wall height increases however this is not the case. From Lockwood Avenue there is a single storey component hard up to the street frontage and then a 2 storey component on top which is only stepped back for one of the levels. The second (or third) level then sits well over the required 8.5m building height. From Glenrose Place it is a full three storeys high with no setback to the second and third storeys. This is also the case from the west and east elevations. Excavation of the landform is also meant to be minimised. This is clearly not the case here as there are three full levels below natural ground level for parking and retail. This is excessive and not in keeping with the surrounding area.

Furthermore, under Part E7 of the WDCP the Council states objectives with regards to development on land adjoining public open space as:

- To protect and preserve bushland adjoining parks, bushland reserves and other public open spaces.
- To ensure that development responds to its adjacent surroundings to preserve and enhance the natural qualities of the environment.
- Development on land adjoining open space is to complement the landscape character and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces.

Currently the tree canopy along Lockwood Avenue is constant right along to the corner of Glen Street. The trees on the Reserve to the west of the subject site complement the trees currently on the site to form a barrier to the service station and the Glenrose shopping centre. The setback of the proposed retail portion to the south-western corner of the site adjacent to the reserve is virtually nil. Currently this area is free of all structures and enclosing this area is unacceptable. A further setback alongside the reserve should certainly be required. The removal of the established tree line along Lockwood Avenue will have an adverse effect on the natural environment and detract from the adjoining public open space which is not in keeping

with the objectives of the WDEP as stated above.

Another area of concern is the extra traffic this proposal will create around an intersection that is already under duress. Not only after construction but during the construction and especially during excavation.

The WDCP under Part C2 sets out objectives for traffic, access and safety. It aims to minimise:

- a) traffic hazards;
- b) vehicles queuing on public roads;
- c) the number of vehicle crossings in a street;
- d) traffic, pedestrian and cyclist conflict;
- e) interference with public transport facilities; and
- f) the loss of "on street" kerbside parking.

The proposal will add to the traffic hazards which already exist. The new carpark entry is situated just after the pedestrian crossing on Glenrose Place, cars coming in and out of the carpark entry will therefore hold up traffic along Glenrose Place as they stop to allow constant pedestrian traffic at the crossing. This in turn will affect cars trying to get access into the already busy carpark of the Glenrose Shopping Centre and will lead to more cars queuing along Glen Street and at the Petrol Service Station on the corner. The fall-back effect on the intersection of Glen Street and Lockwood Avenue will potentially affect the flow of buses and create an even more dangerous intersection than it already is. Furthermore, having retail facing Lockwood Avenue will encourage drivers to park along Lockwood Avenue and not use the underground carpark. Outside this frontage currently is a pedestrian crossing and a bus stop which means cars will filter west down Lockwood Avenue meaning a loss of the current on street parking and as such is not in keeping with the above objectives of the WDCP.

The traffic report submitted with the application states "the additional traffic generation has been assessed to have no noticeable impact on the surrounding network in terms of level of service or delays." How can this be acceptable with an additional 193 car spaces for 51 units along with extra commercial and retail. The amount of extra traffic will be significant and as stated above this area is already not coping well.

Also of concern is the amount of excavation proposed on the site. Excavating down 3 full levels right next door to a petrol station, a kindergarten and a quiet residential street will mean an undue disruption to our daily amenity. WDCP2011 C7 requires the following with regards to Excavation and Landfill:

- To ensure any land excavation or fill work will not have an adverse effect upon the visual and natural environment or adjoining and adjacent properties.
- To require that excavation and landfill does not create airborne pollution.
- To preserve the integrity of the physical environment.
- To maintain and enhance visual and scenic quality.

The amount of excavation required prohibits adherence to these objectives. We currently have a site that buffers the petrol station by means of an established tree line. Once excavation begins these trees will be gone. The noise and pollution levels that will then come from the site will certainly affect the visual and scenic quality to everyone in close proximity along Lockwood and especially to the kindergarten directly to the west of the site.

While the proposal does comply with the required amount of carparking this is only due to the

large amount of retail and residential accommodation they are requesting. If this were reduced to comply with the Codes the amount of car parking required would also be reduced and as such the amount of excavation required on the site would be reduced to an acceptable level.

In conclusion, while the applicants describe this proposed concept as being a "good neighbour".it will in fact be nothing of the sort. The bulk and scale of the proposed development is not in keeping with the surrounding streetscape- especially along Lockwood Avenue and the public reserve and walkway. Ideally what the applicant's subsequent proposal should:

- remove the retail portion of the proposal along Lockwood Avenue
- provide for only a two storey residential element which
- aligns with the rest of the street at 6.5m from the front property line
- is set back 6.5m from the adjoining reserve.
- retain established street planting along Lockwood Avenue.

This solution will allow for the proposal to sit below the 8.5m height plane and result in a development more in keeping with the surrounding area.

Regards

Thomas & Julie Haerland