
Sent: 26/06/2023 12:51:15 PM
Subject: DA2022/0688 , 33 and 35 Fairlight Street, Fairlight.

Attention Adam Croft

Dear Sir

Further to the recent Conciliation Conference and the on site inspections we would like to just emphasise the points raised in our initial objection letter dated 27 June 2022. Hopefully the inspection provides a clearer understanding of the basis of our submissions.

As indicated the main issue is loss of views. Some loss is inevitable and acceptable though as pointed out over time the views from this building have been considerably eroded to a remaining due South perspective. This creeping loss of views should be minimised with no further creeping loss of view.

We submit in that case the height limits should be observed and that relates particularly to the proposed clerestory windows to the North of the building roof line. At almost 800mm these are well over a mild protrusion. The Applicant claims this is acceptable as it also improves amenity for the occupants of the building through better light access which is a claim supported by the Design and Sustainability Advisory Panel. This is rather back to front logic as having created a defect by overbuilding on the site and creating dark spaces the Applicant claims an improved amenity to the occupants while overlooking the fact it decreases the amenity of owners and occupants to the North of the building. First they create a problem then attempt to cure that by creating another for some other owners. This is a narrow and self-serving perspective ignoring the interests of others. Less built works with better light access overall would be far better though it probably means reduction from 6 to 5 dwellings.

The inspection would have revealed the deception arising from the montage and photography, showing that the structures loom much closer and larger than those images suggest. The clerestory windows are substantial and imposing structures. We have referred earlier in the 27 June submission to these points.

At various points in the Statement of Environmental Effects and elsewhere the Applicant maintains the design is appropriate and compatible with built forms in the adjoining area which are spurious in the circumstances. We find the test set out in Project Venture Developments v Pittwater Council is not satisfied. The clerestory windows are a warehouse or bunker solution to a light problem not appropriate to a suburban residential setting and they are "jarring ... unsympathetic in a streetscape context". To claim these skillion shapes are somehow comparable or sympathetic to other roof forms in this area borders on disingenuous.

The other point we wish to emphasise in conjunction with building height is tree plantings. Again the Design and Sustainability Panel is treating this rather academically in suggesting larger planters and soil depressions should be included. This would lead to plantings that then obscure views which have otherwise, hopefully, been preserved by building height reductions. Small to medium trees are far more appropriate. We don't need to have cause for future clashes with neighbours that can be easily avoided.

Thank you for your assistance and attention to this matter and we await news of further outcomes.

Ken Herd and Elizabeth Webber
2/48 Fairlight Street, Fairlight