

The URBIS logo consists of the word "URBIS" in a bold, white, sans-serif font. To the right of the text is a white square frame that is open on the right side, with the top and bottom bars extending slightly beyond the text.

URBIS

62 EVANS STREET FRESHWATER

Visual Impact Statement for
Section 4.55 Modification
Application

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Associate Director	Jane Maze-Riley
Project Code	P0036542
Report Number	Final

**Urbis acknowledges the important contribution that
Aboriginal and Torres Strait Islander people make in
creating a strong and vibrant Australian society.**

**We acknowledge, in each of our offices, the Traditional
Owners on whose land we stand.**

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

© Urbis Pty Ltd
50 105 256 228

All Rights Reserved. No material may be reproduced without prior permission.

You must read the important disclaimer appearing within the body of this report.

urbis.com.au

CONTENTS

1.	Introduction	4
	1.1. Purpose	4
	1.2. Project background and proposed Modification	4
2.	Visual context.....	6
3.	Visual exposure.....	8
4.	Visual effects and impacts.....	9
	4.1. View loss assessment: tenacity principles	9
5.	Conclusion.....	14

1. INTRODUCTION

1.1. PURPOSE

Urbis has been engaged by SpaceOut Studio to provide a visual impact statement in relation to a Section 4.55 Modification Application to Development Application (DA) 2015/1258, approved on 20 May 2016, at the property of 62 Evans Street, Freshwater (the site).

This report specifically addresses the visual effects and potential impacts of installing a fixed, permanent roof screen to block access to views of unsightly roof equipment. This submission is limited to an analysis of visual effects on the closest and potentially most affected residential dwellings.

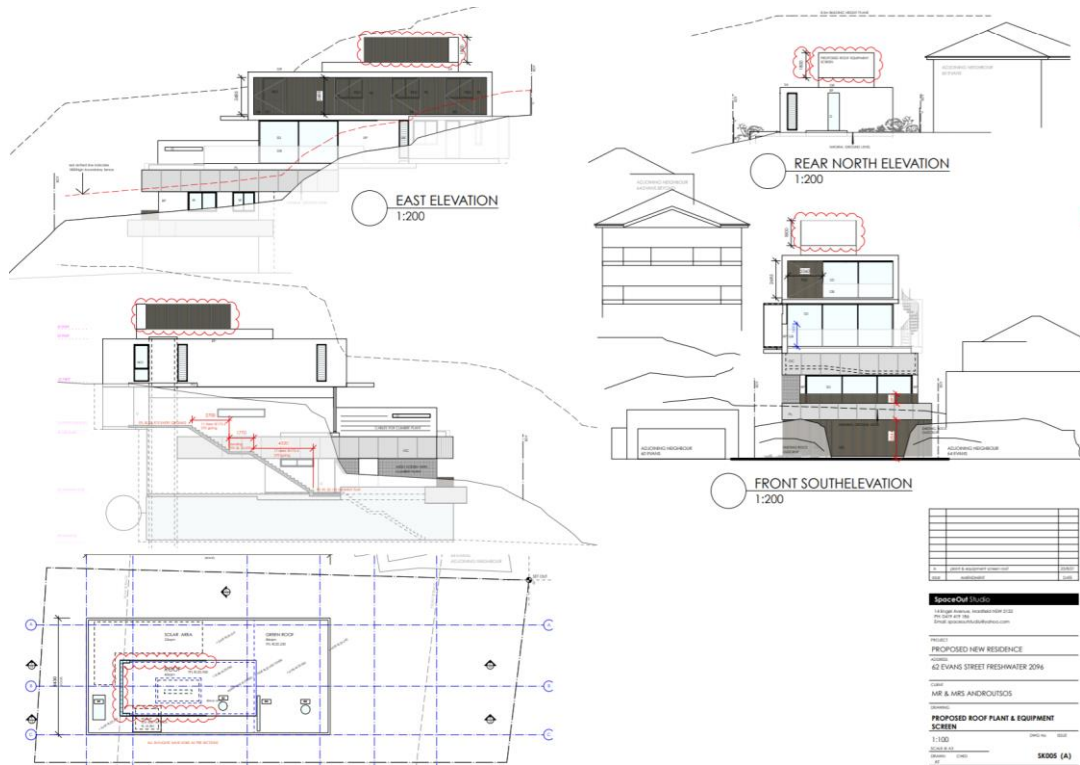
This report has been based on information provided by SpaceOut Studio, site photographs provided to Urbis, real estate imagery available online and our review of a previous View Impact and View Sharing Assessment prepared by Richard Lamb and Associates on 10 December 2015 (RLA report). The RLA report was prepared by myself whilst in the employ of RLA and in this regard I am familiar with the site. Further the detailed analysis included in that advice in relation to existing view access from neighbouring dwellings and likely effects of the upper parts of the dwelling at 62 Evans (now constructed) remain valid.

1.2. PROJECT BACKGROUND AND PROPOSED MODIFICATION

SpaceOut Studio are preparing a Modification Application to alter the consent for the approved development at the site. The approved development consent included the construction of a new two storey, four bedroom, dwelling across 3 levels.

The Modification Application proposes to amend the development consent granted for DA 2015/1238 to include a fixed, permanent screen to the roof for the purposes of ameliorating views to plant and equipment that is proposed to be installed on the roof. Equipment will vary in height and form and is likely to include solar batteries, irrigation equipment and air conditioning units. The plant will be located in a central area and spaced as closely as practicable. The proposed screen is 1.8 meters in height, and is characterised by a solid, rendered, white painted wall to the north and dark grey timber battened slats to the west, east and south. I note that the grey colour matches the garage door and further that, all materials are of matt finish and therefore of low reflectivity. The purpose of the proposed screen is to block views of miscellaneous plant equipment and provide one simple form that would be potentially visible in some views from the closest neighbouring dwellings.

Figure 1 Modification Plan



Source: SpaceOut Studio

2. VISUAL CONTEXT

Freshwater is a suburb of Sydney's Northern Beaches, located between Queenscliff and Curl Curl and is predominantly characterised by residential development, including individual dwellings and residential flat buildings. The topography of the suburb consists of steep hills on either side of a wide coastal valley with a gently sloped base down towards Freshwater Beach. The northern and southern ends of the beach feature prominent headlands with steep cliffs that drop down to the Tasman Sea. Significant areas of public open space exist in the form of Freshwater Beach and adjacent parklands on the coastal sand dunes and headlands.

The site is located on the northern side of Freshwater. It is bound by the residential properties of 60 Evans Street to the north-west, 8 The Drive to the north-east, and 64 Evans Street to the south-east. The newly built dwelling on site has a frontage to the south-west, where vehicular and pedestrian access is provided from Evans Street.

Given the steep topography of the area, sloping downward to the south-east, those potentially affected by the proposed modification are limited to the properties located immediately north and west of the site including 8 The Drive and 60 Evans Street.

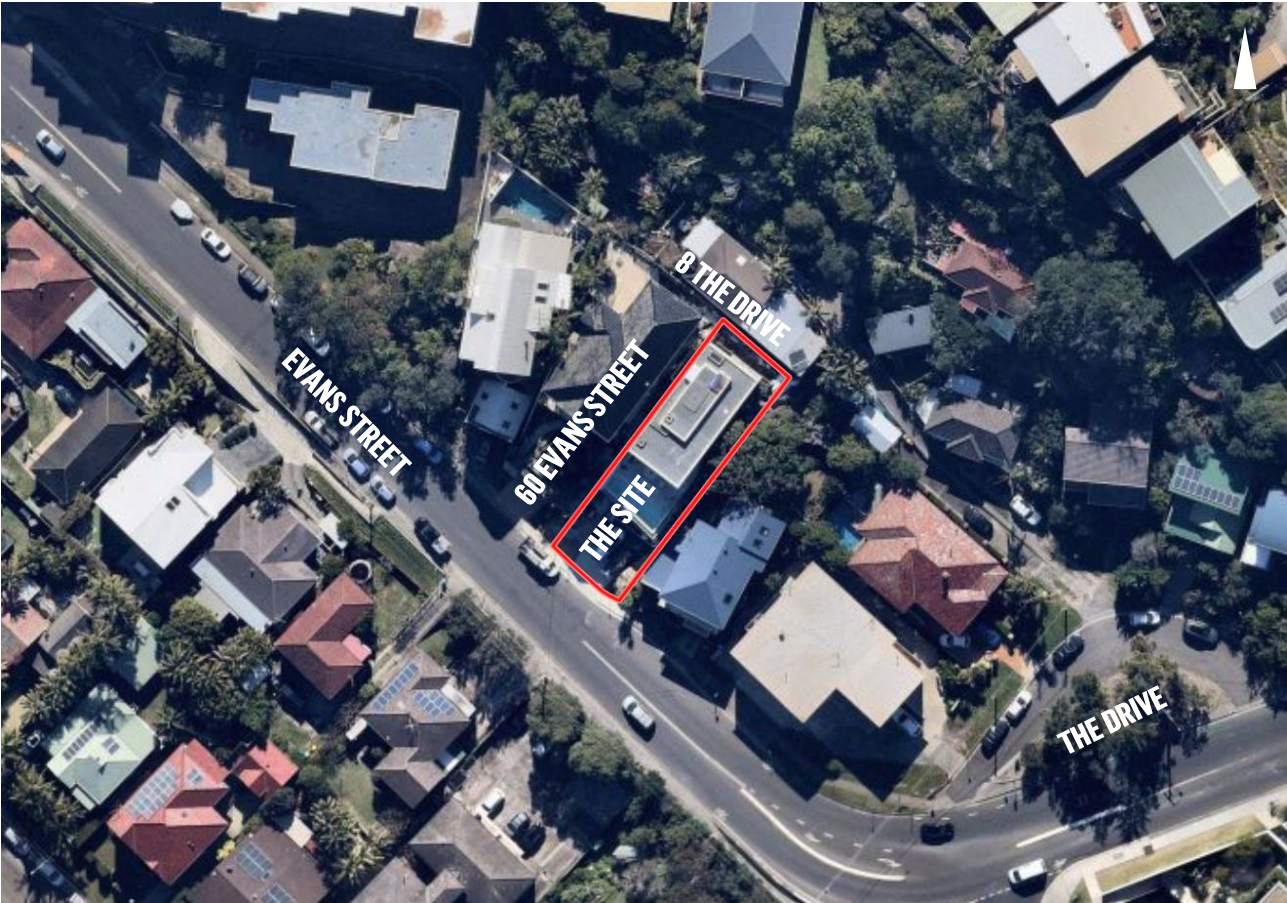
Both 62 and 60 Evans Street from elevated locations, enjoy expansive views to the south-west, south, south-east to Freshwater, Freshwater Beach and Queenscliff and east towards the South Curl Curl Headland. 8 The Drive enjoys views to the south towards Freshwater Beach and more restricted views to the south-east due to intervening boundary fencing and the rear wall of the site.

Figure 1 Site context



Source: Nearmap

Figure 2 The site



Source: Nearmap

3. VISUAL EXPOSURE

Given the underlying topography, and the location of the existing roof plane, views of the proposed screening from the immediate surrounding public domain on Evans Street and dwellings to the south of Evans Street, will be minor. As outlined in Section 2 of this report, existing visibility of the roof and location of the proposed screening will be greatest from neighbouring dwellings immediately north and west of the site at 60 Evans Street and 8 The Drive.

I note that the ground floor at 8 The Drive is set at approximately the same level as the upper floor at 62 Evans Street and in this regard the approved built form blocks the majority of the likely horizontal southerly views available from 8 The Drive. A similar situation would arise in easterly views from the upper level at 60 Evans Street, such that access to views that include the proposed screen, will be limited.

Further, the proposed screen is stepped back by approximately 2 metres from the eastern and northern edges of the roof, which help to reduce its visibility from ground level external spaces and from internal rooms at both 60 Evans Street and 8 The Drive. Visibility of the proposed screening is further restricted by mature vegetation to the east and boundary fencing on the northern perimeter of the site.

4. VISUAL EFFECTS AND IMPACTS

The following photographs show indicative views from the immediate visual catchment of the site. The proposed modification, is unlikely to generate any significant visual change in any public domain existing views.

The proposed screen will be visible from the windows on the eastern elevation of no. 60 Evans Street and from south-facing windows at no. 8 The Drive. In both cases views to the screening will be limited to a narrow horizontal band of built form in upward views. In this regard the proposed screen will block areas of open sky and will not block access to any features or compositions that would be considered to be scenic or highly valued in *Tenacity* terms.

4.1. VIEW LOSS ASSESSMENT: TENACITY PRINCIPLES

The extent and reasonableness of private domain view loss is typically assessed against the Land and Environment Court of New South Wales planning principle *Tenacity Consulting v Warringah* [2004] NSWLEC 140 - Principles of view sharing: the impact on neighbours (*Tenacity*). This is the most widely used and referenced planning principle in relation to the assessment of impacts of private development on private views.

We have considered the potential visual impacts of the proposed screen against *Tenacity* and consider that the modification does not meet the initial threshold test in *Tenacity* which in paragraph 25 states the following;

25 The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.) To decide whether or not view sharing is reasonable, I have adopted a four step assessment.

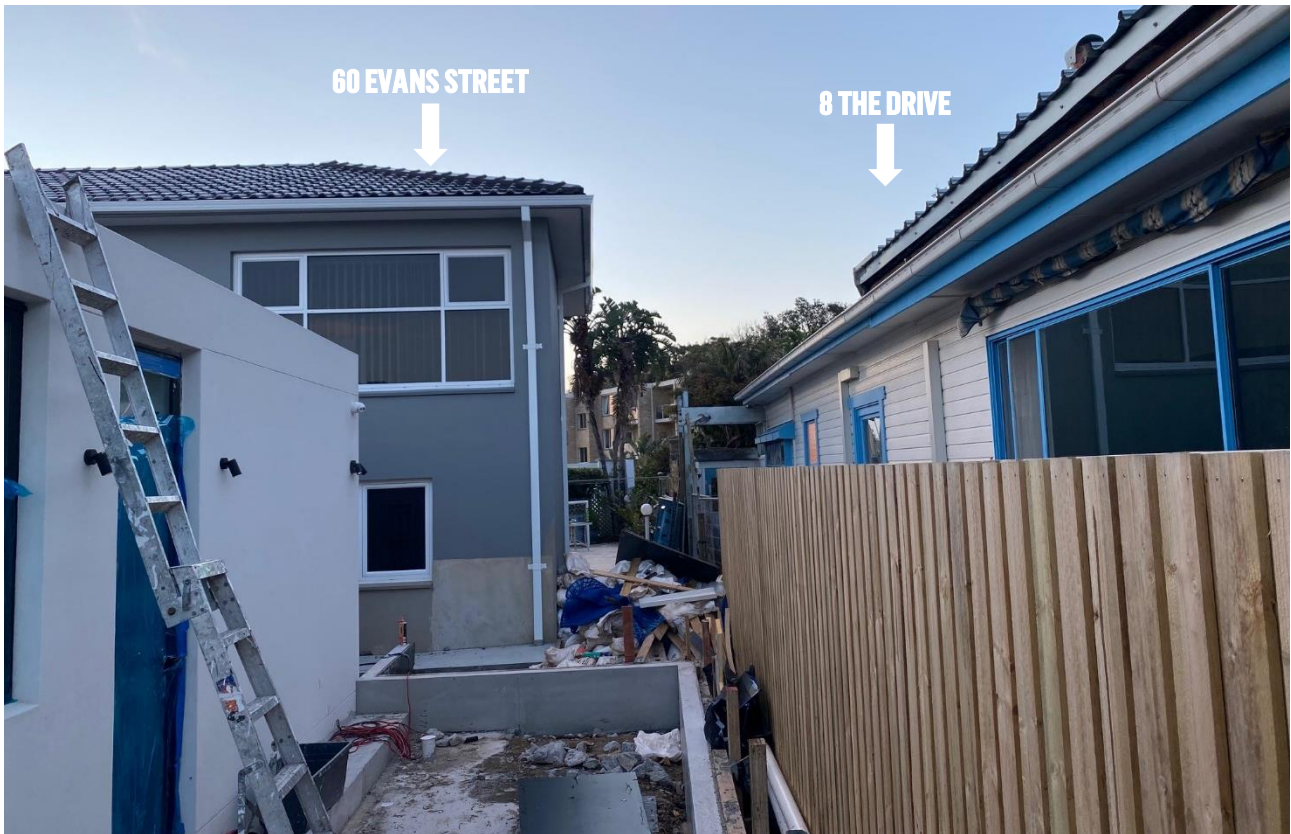
The dwellings at 60 and Evans and 8 The Drive do not enjoy views of any significance above or beyond the roof form of the approved and now constructed dwelling at 62 Evans Street. In this regard the quantum and qualitative nature of a loss of a minor area of sky as predicted in our analysis, would not in my opinion constitute any significant extent of view loss or impacts on views and therefore the *Tenacity* principle has no work to do and need not be applied.

Figure 3 Viewpoint map



Source: Nearmap

View 1 – View north west from the rear of the site



View 2 – View south-east towards Freshwater Beach from number 8 The Drive



Source: Belle Property

View 3 – View west from 8 The Drive towards the site



View 4 – View north-east towards the façade of the site from Evans Street



Source: Google Street View 2021

View 5 – View north-east towards the site from Evans St. with No. 60 in the foreground.



Source: Google Street View 2021

View 6 – View north to the site from Freshwater Beach



5. CONCLUSION

- The photographs from representative view points show that there is limited external visibility of the site (roof top) and proposed screen (Mod) will not generate any significant impacts on views from the public or private domain.
- There is likely to be minor visibility of the screen from public domain locations in Evans Street and parts of Freshwater beach, given the upward angle and distance of potential views.
- Some parts of the roof top screen are likely to be visible from in some views from facing windows at 60 Evans Street and 8 The Drive, however from internal locations in the dwelling, the visual effects are likely to be minor and constrained by intervening built forms (walls and window frames).
- The minor horizontal band of the proposed built form that could be visible from internal locations and in upward views at both dwellings is unlikely to generate any significant view loss. Views lost are predominantly characterised by sky and would not be considered as valuable in *Tenacity* terms.
- More expansive views of Freshwater Beach from the southern elevation of no. 60 Evans Street will not be affected by the proposal. The visual impact on residents of no. 60 Evans Street are therefore considered minor.
- Scenic and more highly views towards Freshwater Beach to the east from 8 The Drive (view 2) will not be impacted by the proposal. Based on the information available, If *Tenacity* was applied to determine impacts on views from 8 The Drive, in my opinion view impacts would be rated as negligible.
- The Modification Application will introduce a minor amount of new built form into some potential views from two immediate neighbouring dwellings at 60 Evans Street and 8 The Drive and in both cases view sharing outcomes in my opinion would be reasonable and acceptable.
- Valued views of Freshwater Beach will remain unaffected by the proposed screening.
- In our opinion the Modification Application can be supported on visual impacts grounds.

Kind regards

Jane Maze-Riley



Associate Director

