

Council Agenda - Agenda Item 8.1

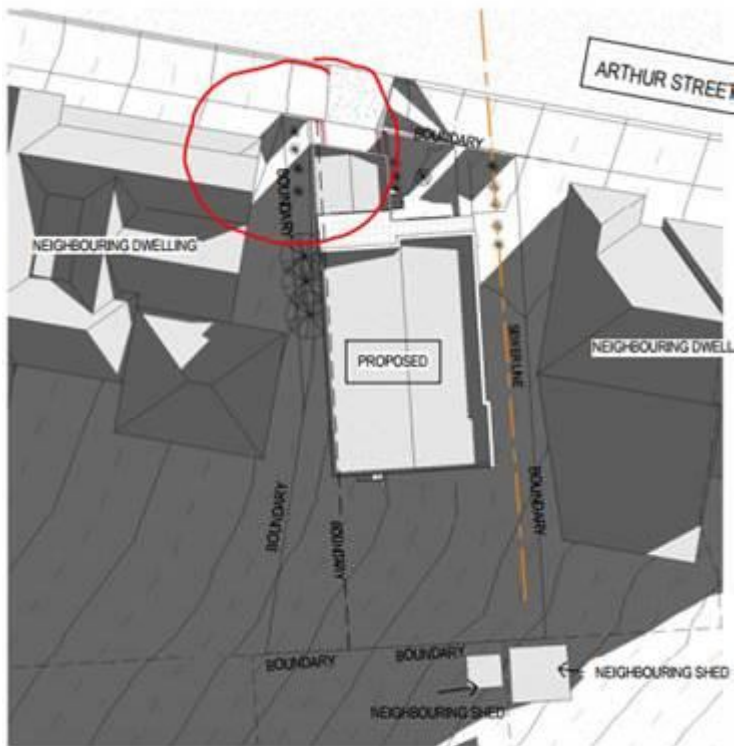
Attachment 5 - Representations - 93 Arthur Street Launceston

Dear Iain,

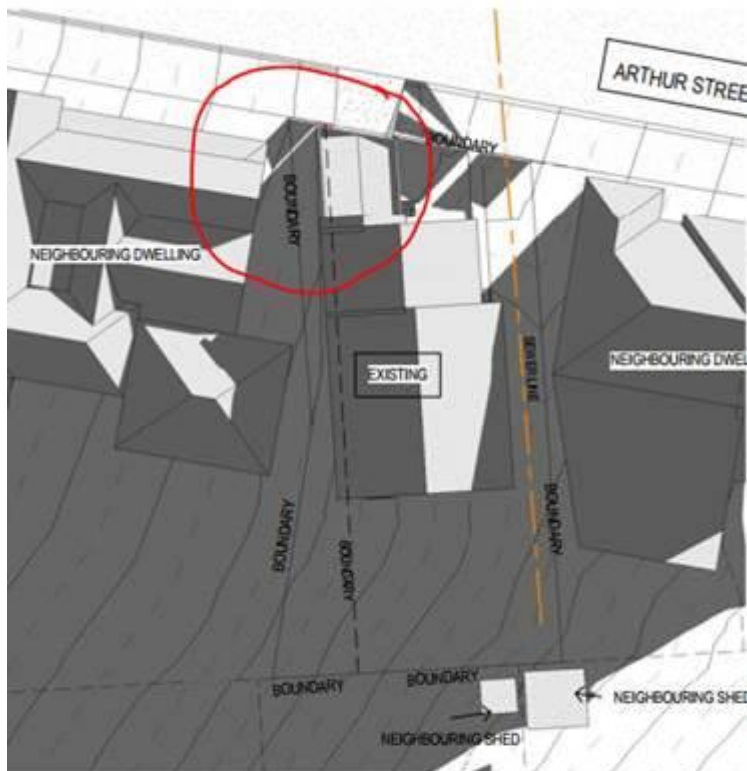
I am again lodging a complaint regarding the proposed development of 93 Arthur Street. Unfortunately the issues I have raised with my initial objection and subsequent meeting with council have not been considered by the owner, in fact I would suggest they have inflamed the situation with the amended application.

I will detail our issues regarding the development proposal based on the new drawings below:

Shadow Drawing: Please note below the incorrect shadow drawings. On the original plan these were wrong when showing the Winter Solstice, pretty much suggesting that the proposed garage and extension had no effect on the morning sun, which we all agreed at the time was incorrect. The drawing suggests that we would be covered in full sun all day long. Now the new drawings are wrong again, this time it shows the proposed garage and extension would create an improved morning sun in the Winter Solstice to the front of our home.



JUNE 21 9.00am
SCALE 1:350



JUNE 21 9.00am
 SCALE 1:350

I would accept an error once but a second error leaves me questioning the motives, especially considering the level of sun loss we would expect to occur at the front North/East corner of our property. I again refer to my original objection regarding the loss of sunlight and shadowing.

Build Envelope: This was highlighted to me at our consultation in Arthur Street with the Council. The property is well outside the envelope and the plan proposes significant sized windows (which I will discuss further below) on the Western side of the extension, which overlook our property and delays direct sunlight onto our home and backyard all year round.

Western Windows: There has been significant change from the original drawings. The timber slats have been removed from the W4 window and replaced with frosted glass. I again refer to my original objection and ask the council, what is stopping the owner of 93 Arthur changing the frosted window (W3 & W4) to clear glass after completion and sign off by the council? These windows in clear glass would give the property significant views across the west towards the City, Trevally, Basin and West Launceston but intrude into our backyard, teenage bedroom, master ensuite and master bedroom. My question is why have them at all? It could not be for additional lighting as the whole front of the extension is glass and faces north they have not done the same to the Eastern side of the house, which has no outlook.

These W3 and W4 windows are well outside the Building Envelope and will be extremely visible from our property. Plus again an error in the submitted plans which would put us at further risk.

* W3, W4 & W9 TO BE FULLY FROSTED WITH A WHITE FROST FILM TO MATCH THE RENDER COLOUR IF POSSIBLE TO REDUCE THE VISUAL IMPACT OF THE LARGE GLAZING UNIT FROM EXTERIOR WINDOWS IS TO ALLOW FOR MAXIMUM LIGHT ENTRY INTO ROOM

LAUNCESTON PLANNING SCHEME 2015
PERFORMANCE CRITERIA APPROVALS

11.4.3 - BUILDING ENVELOPE

THE PROPOSED UPPER STORY EXTENSION GOES OUTSIDE THE LIMITS OF THE BUILDING ENVELOPE AS SHOWN
DUE TO THE ORIENTATION OF THE BLOCK THIS CAUSES ONLY A MINIMAL INCREASE IN SHADOW FROM 9.00am - 11.00am TO THE NEIGHBOURING PROPERTIES (REFER SHADOW DIAGRAMS FOR ILLUSTRATIONS)

DUE TO THE UPPER STORY EXTENSION BEING WITHIN THE BUILDING ENVELOPE CONSIDERATIONS TO THE PRIVACY OF THE NEIGHBOURING DWELLING HAVE BEEN TAKEN INTO ACCOUNT

WINDOW 2 IS ONLY A SMALL WINDOW AND WILL NOT PROVIDE VIEWS OVER THE NEIGHBOURING PRIVATE OPEN SPACE

WINDOW 3 IS A LARGE WINDOW TO ALLOW MAXIMUM LIGHT TO ENTER THE ROOM. THIS WINDOW WILL BE FROSTED IN ACCORDANCE WITH CLAUSE 11.1.13

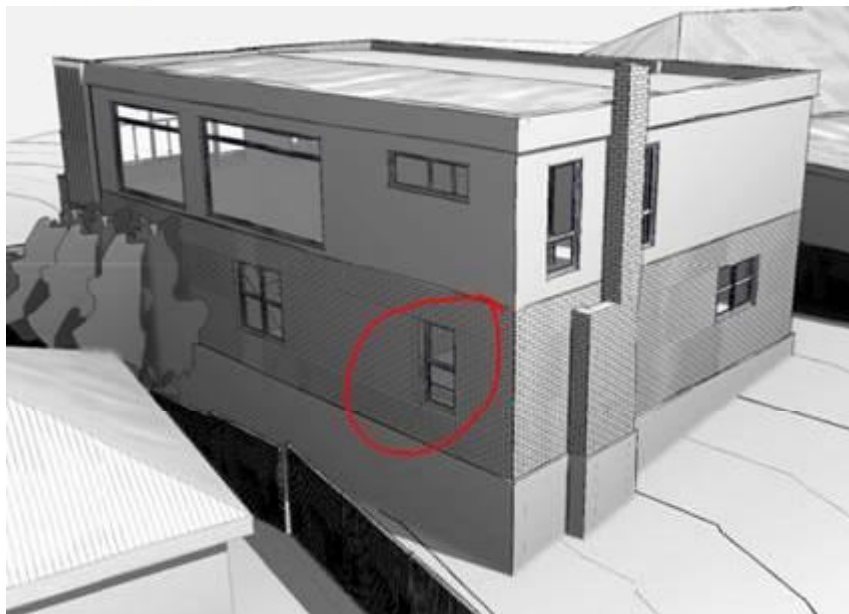
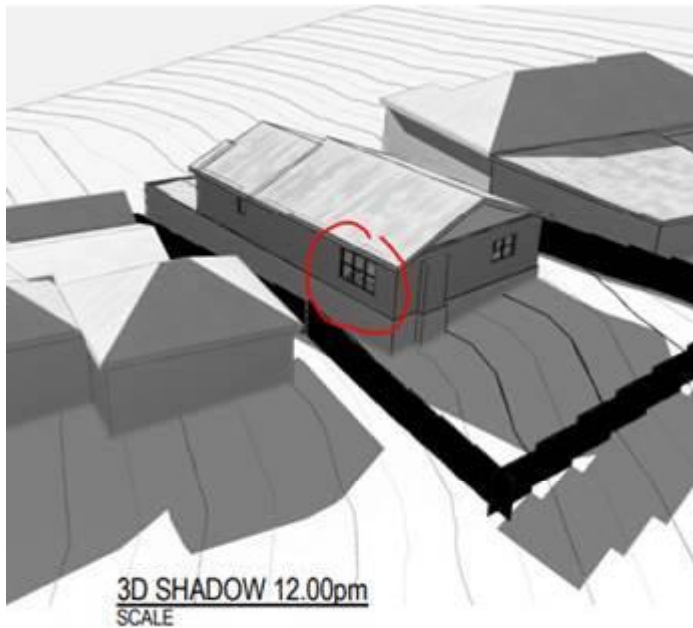
WINDOW 4 IS SIMILAR IN SIZE TO W3 BUT IS PROPOSED TO BE CLEAR GLAZED. THIS IS TO ALLOW VISUAL VIEWS TO THE WESTERN SIDE OF THE CITY AND AS PER DESIGN DRAWINGS PROPOSED TIMBER SLATS OR SIMILAR WILL BE INSTALLED OVER THE WINDOWS AS SHOWN TO REDUCE THE POSSIBILITY OF OVERLOOKING THE NEIGHBOURING PRIVATE OPEN SPACE AND GUIDE THE EYE TOWARDS THE CITY

THE SAME TIMBER SLATS WILL ALSO BE USED ON THE DECK AS SHOWN TO ADDRESS THE SAME PRIVACY CONSIDERATIONS

IT IS PROPOSED TO ONLY USE A FEW OF THESE DEVICES AS ANY MORE WOULD REDUCE AND DELAY LIGHT AND DIRECT SUNLIGHT INTO THE ROOM AND VISUAL VIEW APPEAL. THE SLATS WILL PROVIDE PRIVACY FROM HIGH LEVEL VIEWS FROM THE NEIGHBOURING DWELLING. THE PROPOSED DOES NOT HAVE DIRECT VISUAL ACCESS TO HABITABLE ROOMS OF THE NEIGHBOURING PROPERTY OR ANY GREATER ACCESS THAN THE WINDOWS IN THE LOWER FLOOR. THE INCREASED HEIGHT OF THE EXTENSION

Another change from the original plan is the owners decision to retain of the existing windows in the lower floor at the staircase "to help let more light into the lounge/dinning room as it was going to be quite dark in there otherwise". Now my first thought is ok that is fair and reasonable as it is no change from existing windows, but when you consider that the owner is content to construct a building that reduces and delays light and direct sunlight into my home I suggest that is hypocritical.

Please refer to the below and the existing windows being retained have been drawn considerably undersized in all drawings other than the existing building 3D shadow drawing. Why?



This now gives the owner of 93 Arthur 3 extremely large windows overlooking our living areas and backyard, 2 of which are outside the building envelope. This also leaves me questioning the motive behind these consistent errors.

We have attempted not to be cynical in the approach taken by the owner of 93 Arthur but with so many inconsistencies around key elements affecting our property we are left with no alternative but continue to object to the proposed development.

I have also attached our original objection and note that our concerns relating to parking, street appeal and cost remain the same, including our intention to appeal any decision by the council to approve this development should our concerns not be addressed.

Regards,

Chris Elliot
95 Arthur Street Launceston

49 High Street, East Launceston 7250

Email: jeanettegatenby@bigpond.com

Wednesday, 11 April 2018

ATTENTION The Planning Department

DA0696/2017 Re-advertised

RE proposed development at 93 Arthur Street, East Launceston

I am writing regarding the re-advertised plans for development at 93 Arthur Street, East Launceston. [DA0696/2017](#)

I live near this proposed development and write as a long-term resident who values the streetscapes of this historic area.

As one walks or drives from St Georges Square down Arthur Street, the proposed development will visually “take-over” and swamp the established street scape down the hill of Arthur Street. The view of the historic house next door which sits immediately below and right next to the proposed development (at 95 Arthur Street) will be obliterated. The historic house at 95 Arthur Street will be visually dominated and dwarfed by this large extension and additions. This house (95 Arthur Street) has just been very sensitively restored and is a jewel in the streetscape. Other houses in this specific area have been sensitively restored. Where there have been additions, they have been done with due respect to the historic nature of the area.

I note the new proposal shows the upper story is substantially outside the Building Envelope. The top story has been moved even further forward towards Arthur Street. There has been no attempt (in this new submission) to design a building in keeping with the area – in style or in scale. Indeed, the new plan offers a worsening of the first application.

The applicant cites 99 Arthur Street’s garage as a benchmark for increasing the garage area for 93 Arthur Street. There is no real comparison: firstly – the garage of 99 Arthur Street does not impose visually on the streetscape – it is viewed downhill and thus its bulk is visually diminished. The owner (an architect) has deliberately set back his garage and used sensitive planting of trees to further diminish its visual impact. In no way does this example dominate the landscape, let alone its neighbours. Citing this garage does not reflect the actuality of the visual bulk of the proposed development. The developer also cites the garage at 84 Arthur Street as an exemplar of garage location. The development at 84 Arthur Street is totally insensitive to its location and serves as an outstanding example of how poor planning and lack of regard to the streetscape can affect the visual ambience of the area.

I am mindful that the house at 93 Arthur Street is not what might be termed “a heritage property”. However, the vast majority of the houses surrounding it are heritage properties. The owners of these houses take pride in maintaining these properties, making any developments in a sensitive manner. These houses add greatly to the ambience of this

whole area. People from other suburbs enjoy this ambience (as noted by the many people who visit the area to enjoy St Georges Square, the food trucks and so on).

I would appreciate forewarning of any public discussions that the Council may have regarding this development.

Yours sincerely

(Mrs) Jeanette Gatenby

HERITAGE PROTECTION SOCIETY (TASMANIA) INC.
P.O. BOX 513 LAUNCESTON TASMANIA 7250

7 April 2018

The General Manager
Mr Michael Stretton

Launceston City Council

Town Hall

St John Street

LAUNCESTON TAS 7250

By email only to contactus@launceston.tas.gov.au

Dear Sir,

Re: DA0696/2017 Residential – single dwelling; construction of extensions and alterations to existing dwelling; construction of garage and modified crossover (re-advertised). 93 Arthur Street EAST LAUNCESTON

We refer to the re-advertised notice in The Examiner newspaper and express our disappointment, that having met with Council's Planning Officer and Manager of Planning on site to discuss the concerns raised by our Association and other representatives in relation to the original application, there has been little regard given to our concerns, and in fact the design has increased the encroachment on the building envelope set down in the Planning Scheme.

It is notable, that even without the proposed upper floor expansion, the present building already encroaches on the building envelope provisions.

We repeat much of what we said to Council originally. This development proposal is an over-intensive development of this site, with the proposal expanding from the present 3 bedroom dwelling to 5 double bedrooms and additional garaging.

The Inner Residential Zone is framed by a Zone Purpose Statement at 11.1, to "allow increased residential densities where it would not significantly affect the existing residential amenity or historic character of the area, lead to increased on-road parking or reduce traffic safety." Furthermore, it includes "To protect and enhance the inner city residential areas and to recognise their major contribution to the city's character and tourist potential." And "to encourage residential development that provides a high standard of residential amenity and streetscape contribution".

This proposed development contravenes the provisions of the Zone Purpose Statement because it will significantly and adversely affect the existing residential amenity and historic character of the area because the additional storey contravenes the building envelope provisions of the Planning Scheme; and breaches the front set-back dimension;

The objective at 11.4.1.5 is disregarded in that the location and design of windows particularly on the western side, and balcony, will critically diminish residential amenity by unreasonably overlooking the neighbouring residential property. The tokenistic vertical louvers are ineffective in

As already referred to, the proposed garage will dominate the streetscape, contravening the objectives at 11.4.1.4 a) c) d).

The performance criteria have not been adequately addressed to allow Council's discretion to be invoked. The loss of amenity to neighbouring residences is unreasonably impacted upon by a loss of sunlight and daylight, significant, will present a looming dominant form when viewed from the neighbouring property, and does not take into account the existing topography of the area and increased impact that an additional storey will have.

At the on-site meeting with your Planning Officers, it was admitted that the shadow diagrams supporting this application were incorrect and thereby defective. It is very disappointing that this error has not been remedied and are repeated in the re-advertised version.

The proposed development does not fit within the prescribed building envelope for single dwellings, and fails to comply with the Planning Scheme objectives at 11.4.1.3 b) and c).

- the proposed development does not protect the residential amenity of neighbouring properties, particularly to the western side, and continues with this amended application to even further radically increase the visual bulk and overshadowing of the neighbouring residence and private open space.
- Fundamentally, the proposed development does not have reasonable regard to the present streetscape qualities, which in the immediate vicinity are single storey residences.

This proposed development fails to uphold the objectives for setback for a single dwelling which in reducing the prescribed setback from 4.5M, will still seriously impact the vehicular access from the proposed garage onto the road by diminishing the view lines towards/from approaching traffic, thereby impacting on public safety; and likewise in relation to pedestrian and bicycle safety, will obscure vision of approaching cyclists who are entitled to use the footpath and pedestrians traversing the footpath in front of the property. The performance criteria call for the requirement to have regard to streetscape qualities and to integrate new development into the streetscape. These criteria have not been met. There is scope to excavate a small amount of ground further under the present building so as to lengthen the garage space to 11M and without encroaching within the 4.5 M setback provision to Arthur St. Accordingly we see no justification in breaching the 4.5M setback dimension.

The front setback to the proposed new garage whilst now modified slightly, is contrary to the objectives in 11.4.1.1, in that it does not assist in the establishment of streetscape character; does not enhance residential amenity; and obscures passive surveillance for community safety from the dwelling that presently exists.

- reduce the present standard of residential amenity and negatively over-reach the streetscape appearance of Arthur Street;
- and does nothing to protect or enhance this inner city residential area because it employs a foreign architectural style; contradictory architectural form; uncommon architectural materials; and contrary architectural fenestration, which is not evident within the area.

reducing this impact on privacy and does not allow the discretion of Council to be invoked. The proposal to use obscure glass is not an enduring concession that can be regulated and policed into the future. The direct overlooking from windows of habitable rooms has therefore not been addressed by compliance with the provisions of Performance criteria P2. Windows with such dimensions, and of such low height above the floor, these windows are contrary to the performance criteria. Natural light for an upper storey can be very effectively achieved by use of roof skylights, and accordingly we submit that the side windows be deleted from any approval in favour of skylighting.

In considering this application, we draw your attention to the publication MAKING GOOD LOCAL HERITAGE DECISIONS - Local Government heritage guidelines : a national guide.

This guide relies heavily on the sound planning principles of

- Respect the building's context and location
- Ensure new buildings fit into the streetscape
- Maintain view
- Seek design excellence

The LAUNCESTON HERITAGE STUDY - Paul Davies Pty Ltd establishes that 93 Arthur Street lies within the St Georges Square Precinct of the High Street Precinct. Davies says "the overall quality of the precinct is high and the non-listed buildings make a very important contribution to the character and setting". He goes on to say that the precinct is significant because "it provides a series of streetscapes of consistent and high visual and aesthetic value demonstrating the core values of housing development in Launceston". In relation to garages, he says the policy should be "Carports and garages should generally not be located in front of the current buildings". For infill buildings, material selections and forms should relate to the predominant streetscape pattern "... new designs must demonstrate a scale, form and materials relationship to the precinct".

Accordingly, we recommend that Council firmly refuse this application as proposed, and encourage the applicant to seek professional advice on the next occasion and necessarily reconsider the design to focus on a concept that does not impact severely on the streetscape, the amenity of neighbours and is more complimentary and subservient to the established cultural amenity of the area.

Yours faithfully

P. W. Reynolds

Public Officer

For and on behalf of

HERITAGE PROTECTION SOCIETY (TASMANIA) INC.