

1 Rosser Street

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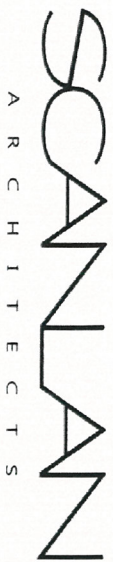
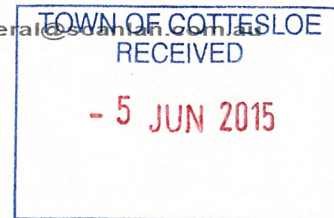
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11/08/2015





**TRIMMED**  
Document Number  
DIS/4101



2 June 2015

Town of Cottesloe  
109 Broome Street  
Cottesloe WA 6011

Dear Mr. Boswell

**RE: Development Application for 1 Rosser Street, Cottesloe**

Thank you for the opportunity to respond to the areas of concern identified in your preliminary assessment and advised in your email dated March 25<sup>th</sup>, 2015. In reply we note the following additional points that we believe demonstrate that the relevant requirements have been satisfied under a deemed to comply regime. In support of the application we also include a set of drawings, which are clearly marked to highlight any contentious issues that have been raised by council, duly signed by the western neighbours.

**Bulk and Scale:**

- *The proposal presents bulk and scale to the streetscape and the Town reserves it right under the Scheme to not support structures built in front setbacks if they have adverse effects.*

The street scape is dominated by garages of various scale and appearance fronting the road. The two storey multi-residential apartment building to the west of the property has a 4 car garage with all doors facing and exiting on to the street. This dominates the street and is located 1.6 metres from the front boundary. The adjacent two storey residence on the east of the property has a garage at the ground level and this also fronts the street. (Refer Attachment 1 – Street View).

The proposed garage was intentionally designed to allow cars to exit the property in forward gear. This was done at the request of the owners as the current method of exiting the property, in reverse gear on the crest of a hill, was considered dangerous. Additionally the desired design outcome had to be achieved within a minimal area due to the location of the existing residence. Also, as the fall/grade of the verge is quite steep it was necessary to ensure that safe passage for pedestrian traffic on the verge was maintained around the crossover.

Due to the location of the existing house it is impossible to ramp down further and "drop the level" of the garage however the massing has been reduced with the incorporation of a flat, landscaped terrace with soft and hard landscaping elements in front of that particular part of the "massing". Thus the garage becomes more discreet and less visible and does not detract from the character architecture of the existing structure that was added to and upgraded by the late Geoffrey Summerhayes when the house was redeveloped in the early 1990's.

Consequently, we believe the new structure in fact actually compliments and completes the existing structure and adds an attractive, landscaped outcome to the street and does not have a negative impact the streetscape. (Refer to drawing DA 01).



## Setbacks

- *The proposed garage/deck does not satisfy the front setback requirements of the RCD.*
- *The average and minimum setbacks for a garage of 4.5m from the front boundary are not achieved.*

As per the survey, the existing house (including verandahs) is setback off the boundary by 7.94 metres. (Attachment 2 – Survey Plan). As we were not at liberty to develop a standard garage perpendicular to the street boundary and due to the construction methodology used for the existing house (limestone base), the garage has been located as far away from the boundary as possible. However it is worth noting that there are numerous examples of built form being accepted by council (for various reasons) that have a far greater impact on the streetscape than what is being proposed. This includes garages that have been located anywhere between zero metres and 1.7 metres from the front set back (refer Attachments 6, 7 & 8). In fact a recent example shows an entire two storey house built over the entire frontage set back only 1.5 metres from the street boundary (see image of 1 Princes' Street in Attachment 7).

With the garage partly sunken into the natural topography and the remainder of the house (less verandahs) set back nearly 10 metres, we believe we have provided an outcome that can be supported by planning officers and council as the overall impact of the total massing of the house and garage is far less than the adjacent properties (all of which are located closer to the street). Consequently, we believe the proposal is consistent with the orderly planning controls and outcomes for the area.

## Overlooking

- *The deck overlooks the western adjacent property and is visual privacy concern to those neighbours.*

Residential Design Codes of WA Clause 7.1 – Visual Privacy suggests that "In the case of active habitable spaces, including outdoor living areas and balconies, an effective privacy separation distance would be of the order of 15m or more. Clearly, this is not realistically achievable. An acceptable compromise setback, where intervening screening is not provided, would be in the order of 7.5m for active habitable spaces ..."

The space to the west, adjacent to the proposed deck which produces the potential overlooking, is not a primary outdoor space and is in fact currently a service area and garage. Additionally, as this area relates to a street frontage, our understanding is that this primary 6 metre set back zone on the street i.e. "the front garden", can be overlooked. Notwithstanding, we have set the terrace back 2.5m from the side boundary and together with the existing high wall height of the boundary wall will provide adequate screening to the area covered within the cone of vision. (Refer attachments 3 & 4). Notwithstanding all of the above, the neighbour has signed their written support for the proposal.

## Vehicle accommodation and turning space

- *The spaces allocated for vehicles to park and turn appears tight.*
- *The design of the structure to house the parking and turning areas creates the streetscape impact referred to above.*

AS/NZS 2890.1 Parking Facilities Part 1: Off street car parking indicates in table 2.2 MINIMUM ROADWAY WIDTH ON CURVED ROADWAYS AND RAMPS that turning radius should range between 7.6 – 11.9 M. Figure 2.9 specifies the sufficient clearance in which allows the outside front wheel to touch a kerb before the vehicle body comes to a contact with the obstruction. Figure 2.9 indicates that the inside radius (R1) should be minimum 4 M with 300 mm kerb internally and an outside radius of 7.6 M (R2) with 500 mm externally for one-way road. We consider the proposed carpark access to be a one-way direction flow. Attachment 5 – Turning Circle shows the manoeuvring path which demonstrate a vehicle returning to the street in forward gear as required. Therefore, as indicated in the attachment, we believe that there is sufficient manoeuvring space to allow the vehicle returning the street in forward gear.

Based on all of the above we trust that adequate information has been provided so that council can support and readily process this application. However, should you require any further information or documentation please contact this office in a timely manner so that we can provide a prompt response. This will hopefully ensure that any delays are minimised so that our client will be able to commence development as soon as possible.

Yours sincerely,

  
**Laurie Scanlan**  
**Lawrence J Scanlan & Associates Pty Ltd**

7 July 2015

Town of Cottesloe  
109 Broome Street  
Cottesloe WA 6011

Dear Mr. Boswell

**RE: Development Application for 1 Rosser Street, Cottesloe**

In response to your email dated the 30 June 2015 the following comments are offered.

**Eastern Wall - North Facing:**

- *The wall facing the street (north elevation eastern side) that extends above the balustrade rails (western side). Can this be made lower to match the balustrade shown on the western side of this elevation?*

This north facing wall is already below the height of the balustrade and will be further softened by foliage cascading down the front and plantings growing up the face from below.

**Garage Door:**

- *The Town would recommend that the garage door facing the street should be a door that is 50% open aspect. Can you tell me if this is possible?*

The gate will be design developed to be 50% permeable and to also be "softened" as much as possible to avoid resembling a "standard" garage door.

**Neighbour Objection:**

- *The proposed structure will establish a precinct which could affect the properties in the street.*
- *Object to the solid wall and garage door facing the street.*
- *The deck could affect the privacy due to being close to the front boundary.*

The adjacent neighbours, who are most impacted by the project, support the project in its entirety. We believe the objections outlined in the summary are incorrect and re-iterate that;

- (a) The proposal will not establish a "precinct" (do they mean precedent?) and there are many other examples of retaining walls, garages/buildings, screen walls that are in the immediate vicinity (see 5 Rosser Street image) and are:-
  - Closer to the street boundary;
  - Higher than that proposed; and
  - Make up a larger percentage of the street boundary.

Considering the above and as these examples are close to the subject site, we believe their objections are unfounded.

- (b) The trafficable deck is 1.7 metres from the front boundary and there are many examples of balconies that are closer and higher to the street. With soft landscaping at deck level we do not believe this will impact on amenity and as stated above, the immediate neighbours support the proposal in its entirety (see attached drawing).

Based on all of the above we would appreciate the proposal being supported and approved as soon as possible as the application was submitted some 5 months ago and our client was hopeful of completing the work prior to Christmas 2015.

Yours sincerely,

  
Laurie Scanlan  
Lawrence J Scanlan & Associates Pty Ltd

TOWN OF COTTESLOE

- 7 JUL 2015

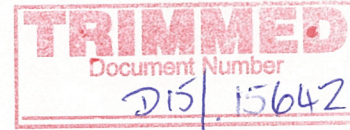
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Document Number  
015/14565

17<sup>th</sup> July 2015

Town of Cottesloe  
109 Broome Street  
Cottesloe WA 6011

**ATT: Andrew Jackson**



Dear Cottesloe Council,

**RE: 1 Rosser Street, Cottesloe**

The following comments are in response to some points raised in your email dated 17<sup>th</sup> July 2015, all other points we feel have been addressed in our previous correspondence.

The existing home design is orientated to a large well landscaped and protected rear yard with a close relationship to the kitchen and all services. The new deck area is just that. It is a flat roofed solution to a semi submerged carport to be landscaped over to reduce and minimise its visual impact on the street and to lessen its height which would obscure the existing fenestration treatment of the original character home. The deck is not an entertainment deck and whilst it may be trafficable it will have little or no impact on the privacy of any residences (in close proximity) by way of overlooking. With specific reference to House No. 4, due to the existing topography, site lines and large landscaping elements prevalent, we believe the proposal will have little or no impact on this residence. We have attached an image of the home in question to highlight its distant relationship to the proposal. Notwithstanding, we understand, that in accordance with clause 5.4.1 (C.1.1.) there is no restrictions to overlooking of front yards in the R Codes as all front yards are overlooked by other properties from either side or from the opposite side of the road.

Additionally, we enclose a very basic sketch indicating the scale of a standard gable roofed carport which is in our opinion far more dominant in its massing and relationship to the streetscape.

Yours sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Laurie Scanlan".

**Laurie Scanlan**  
**Lawrence J Scanlan & Associates Pty Ltd**



IMAGE ONE:

View from No. 1 Rosser Street to No. 4 Rosser Street

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24 JUL 2015  
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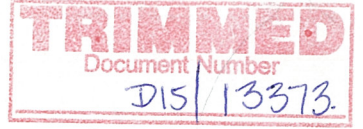


TOWN OF COTTESLOE

19 JUN 2015

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Pat & Ann Walsh  
2 Rosser Street  
Cottesloe 6011  
19/6/15



Dear Andrew

Thank you for your letter dated 5 June 2015,  
regarding development application #3115,  
1 Rosser St Cottesloe.

- We are concerned about the very limited set back  
from the boundary and for the following reasons.
- (1) It establishes a precedent which could affect  
all the properties in the street in the future.
  - (2) The visual aspect on the streetscape is  
domineering due to the solid wall and  
garage door and is inconsistent with  
the current standards set.
  - (3) The entertainment decking could affect  
our privacy due to being so close to  
the front boundary.

Also attached is a copy of a letter which  
we wrote to Fran & Geoff Holman last December  
setting out our concern when they were  
considering the additions.

Yours Faithfully  
Ann & Pat Walsh

Pat & Lyn Walsh  
2 Rosser Street  
Cottestoe 6011

12/12/14

Dear Fran and Geoff

Thank you for showing us your proposed plans for a double garage and entertainment decking to the front of your property.

After carefully viewing the plans we do have concerns regarding the very limited set back from your front boundary, does this comply?

Our concerns in this regard also applies to the entertainment decking on top of the garage, as this could invade our privacy in the event of social gatherings on the decking.

Again, thank you for your consideration of our situation.

Kind Regards

Lyn & Pat Walsh

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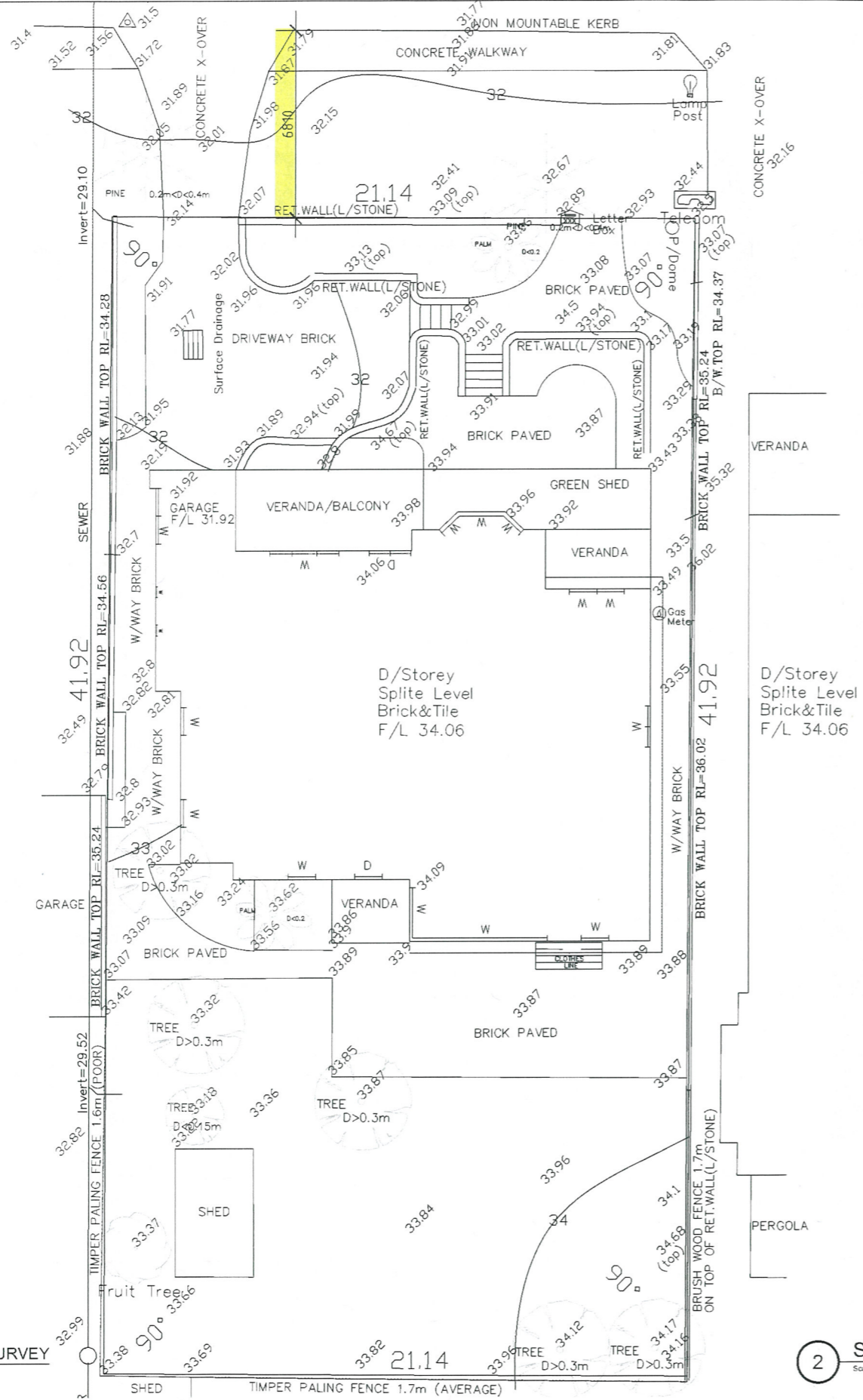
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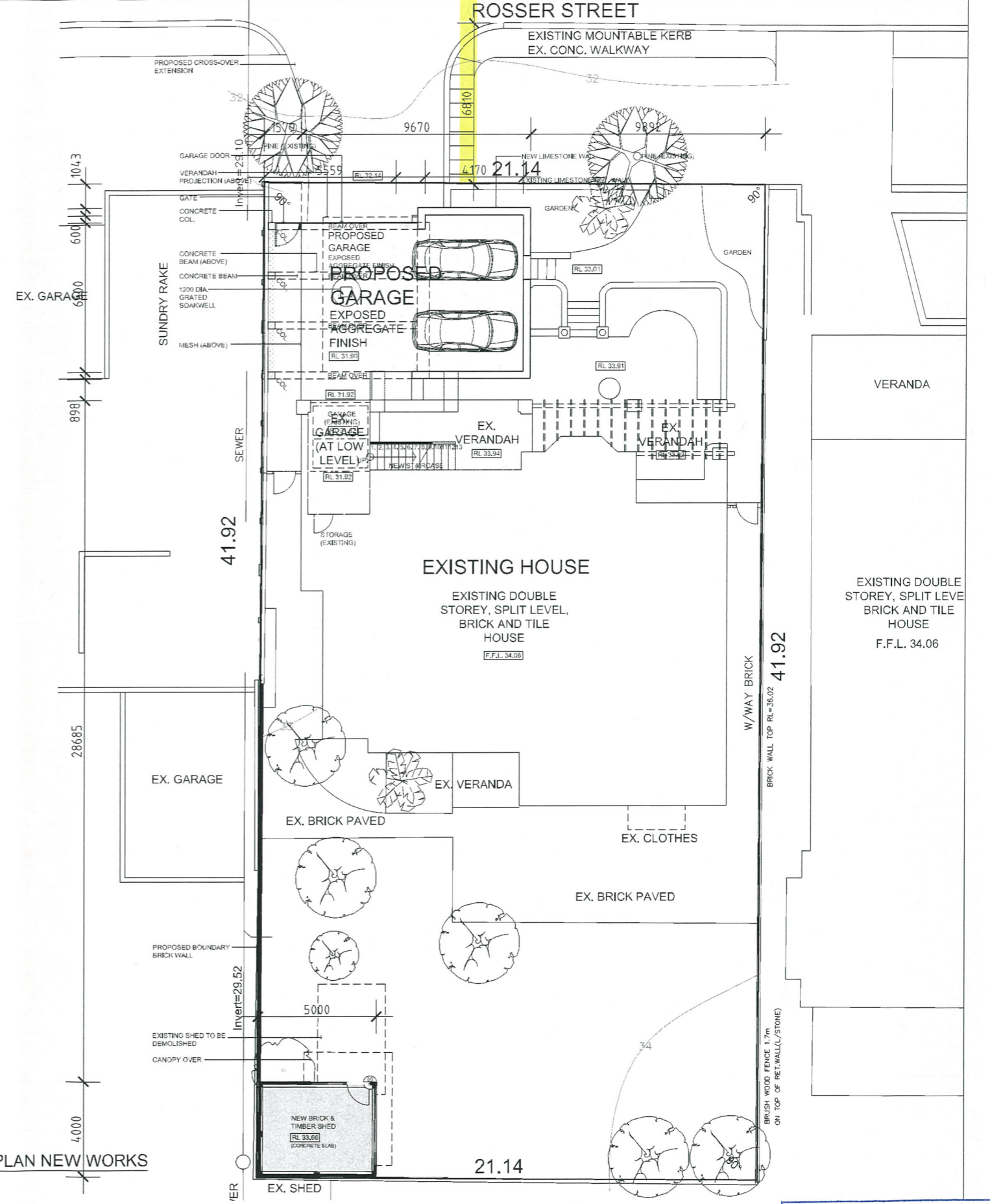
Attachment 1  
Streetscape

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PLANS

ATTACHMENT 2  
SETBACKS



1 FEATURE SURVEY  
Scale: 1:100



2 SITE PLAN NEW WORKS  
Scale: 1:100

Attachment 2  
Setbacks

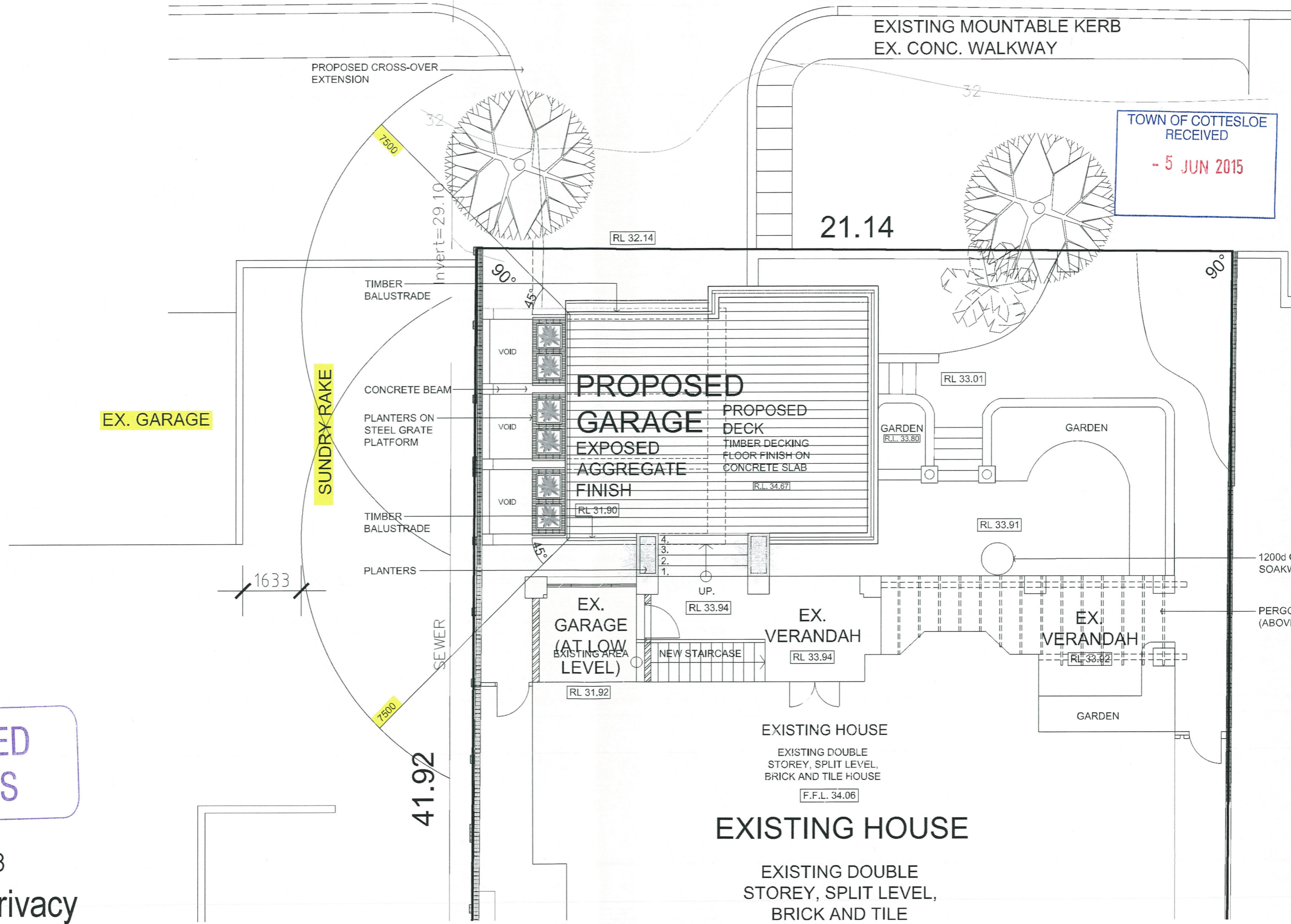
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- 5 JUN 2015

# ROSSER STREET

EXISTING MOUNTABLE KERB  
EX. CONC. WALKWAY

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Attachment 3  
Visual Privacy

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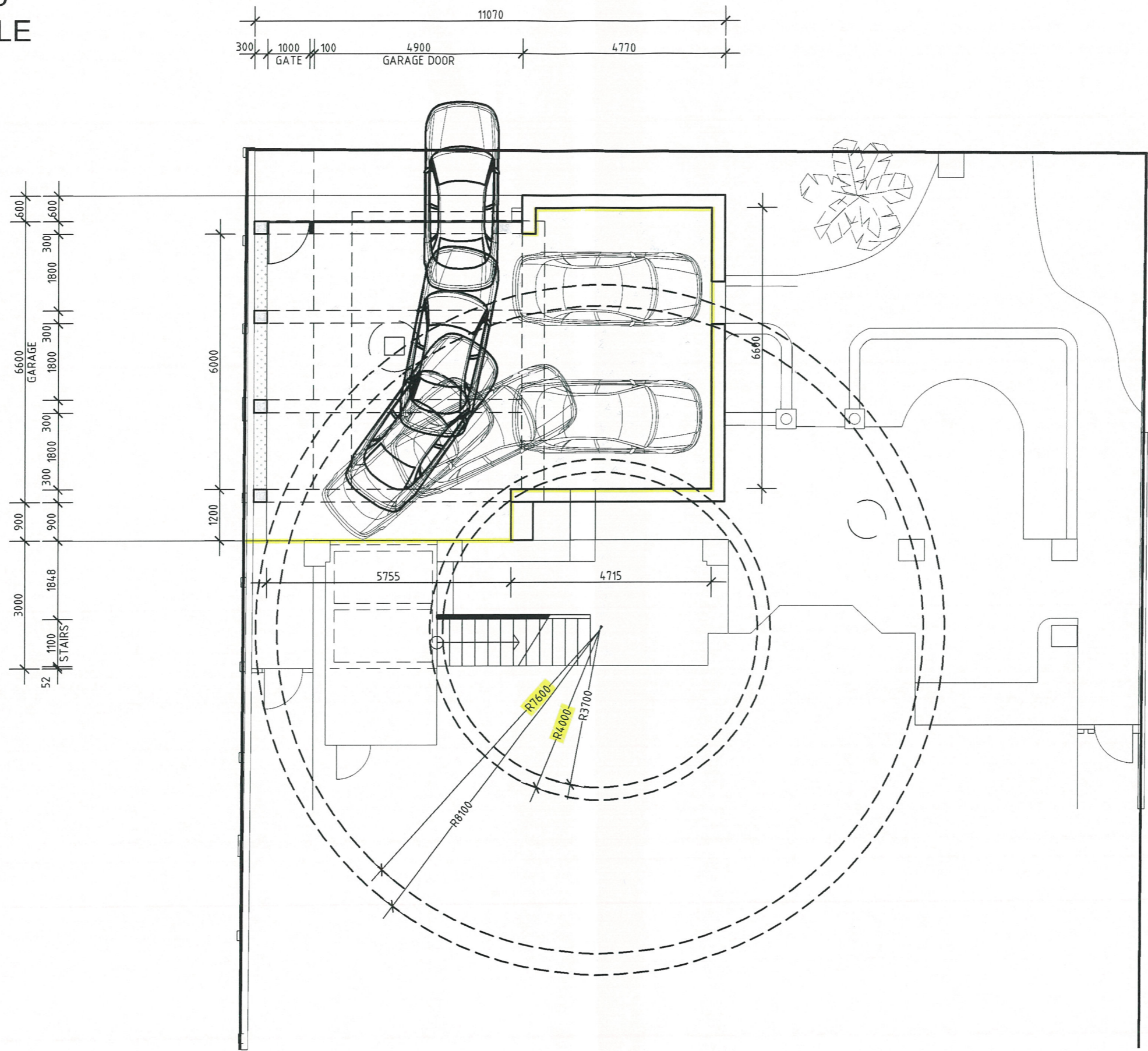
Attachment 4  
Visual Privacy - West wing of the property

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5  
SCALE

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Attachment 5  
Turning Circle





226a Broome Street - 1.6m off boundary front



281 Marmion - 1.0m off boundary front



34 North Street - 1.0m off front boundary



29 Avonmore - complete 2 storey home, 1.0m off front boundary

Attachment 6  
Similar Existing Properties

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PLANS

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- 5 JUN 2015



1 Princes' - Complete 2 storey house, including open balconies, 1.5m off front boundary



Western Neighbour - 1.6m from front boundary



202 Broome Street - Flat Roof Garage, partly submerged by lie of the land, similar to our proposed 1.6m off the boundary



5 Rosser - Retaining Wall Only - 1.0m from front boundary

Attachment 7

# Similar Existing Properties

<b>REVISED PLANS</b>	TOWN OF COTTESLOE RECEIVED
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13 Avonmore Terrace, 0.3m from front boundary



17 Warnham Road - 0.0m from front boundary



Rosser Street - 1.7m back from front boundary



10 Deane Street 0.3m back from front boundary



11a Rossendo - front deck, 1.5m back from front boundary

Attachment 8  
Similar Existing Properties

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PLANS

TOWN OF COTTESLOE  
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- 5 JUN 2015



1 PROPOSED NORTH ELEVATION  
Scale: 1:100



2 EXISTING NORTH ELEVATION  
SCALE: 1:100

TOWN OF COTTESLOE  
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- 2 FEB 2015

**SCANLAN**  
ARCHITECTS

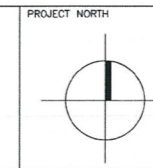
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WEB: www.scanlan.com.au  
PHONE: +61 8 9321 0166  
FACSIMILE: +61 8 9485 0435

ISSUE	DATE	REVISION
B	18.12.14	DEVELOPMENT APPLICATION
A	10.10.14	NEIGHBOURS INFORMATION

CLIENT  
GEOFF HOLMAN

PROJECT  
PROPOSED GARAGE AND SHED  
1 ROSSER STREET  
COTTESLOE

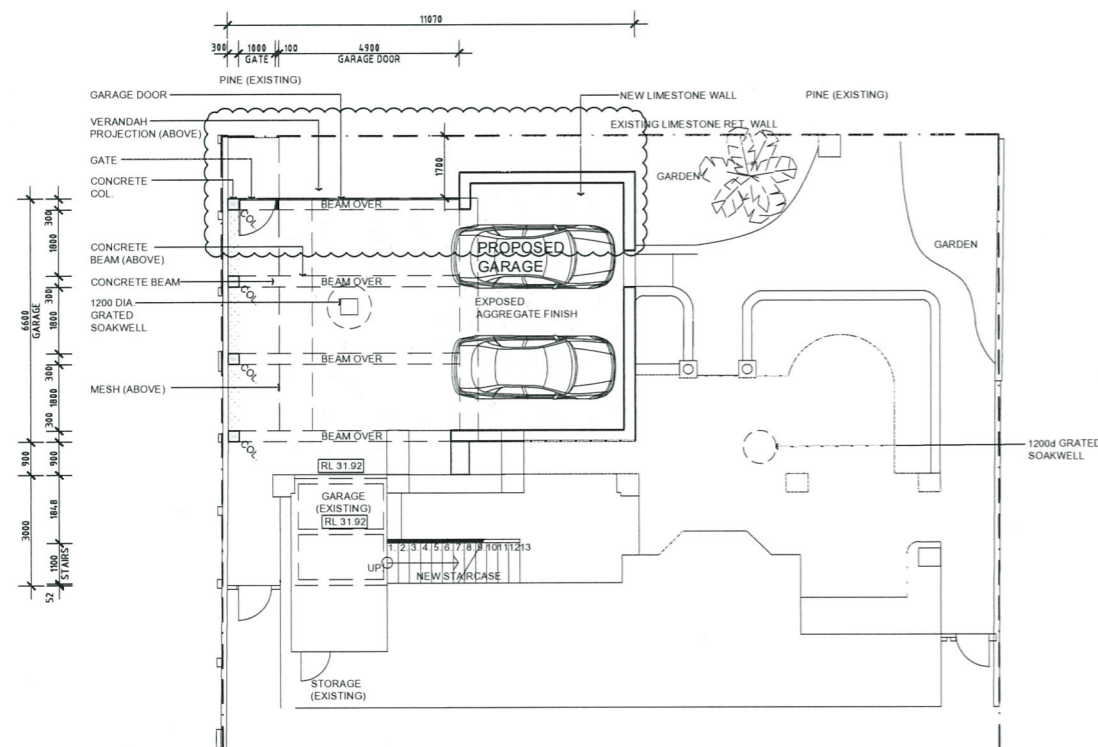
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ELEVATIONS-EXISTING



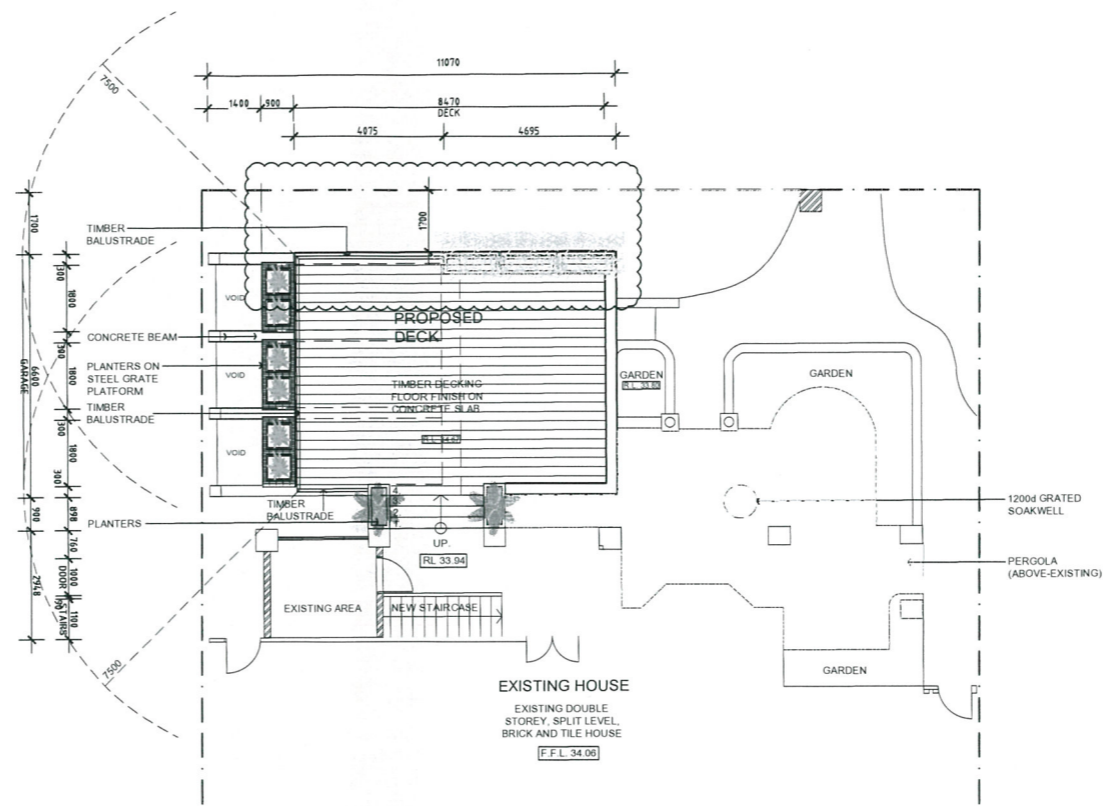
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DRAWING NO  
**DA 01**  
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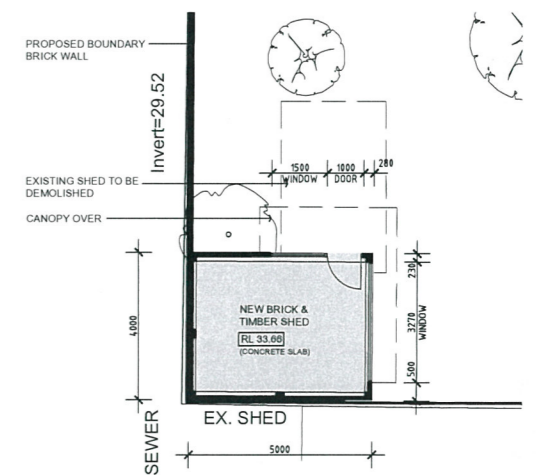
ZONE:	R20
SITE AREA	885.25 m <sup>2</sup>
TOTAL EXISTING BUILDING AREA	225.85 m <sup>2</sup>
OPEN SPACE	604.1 m <sup>2</sup> (68.2%)
PROPOSED DECK	64.4 m <sup>2</sup>
PROPOSED SHED	20 m <sup>2</sup>
PROPOSED GARAGE	80.4 m <sup>2</sup>



1 GARAGE FLOOR PLAN  
Scale: 1:100



2 GROUND FLOOR PLAN  
Scale: 1:100



3 SHED FLOOR PLAN  
Scale: 1:100

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PLANS

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- 7 JUL 2015  
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FACSIMILE: +61 8 9485 0435

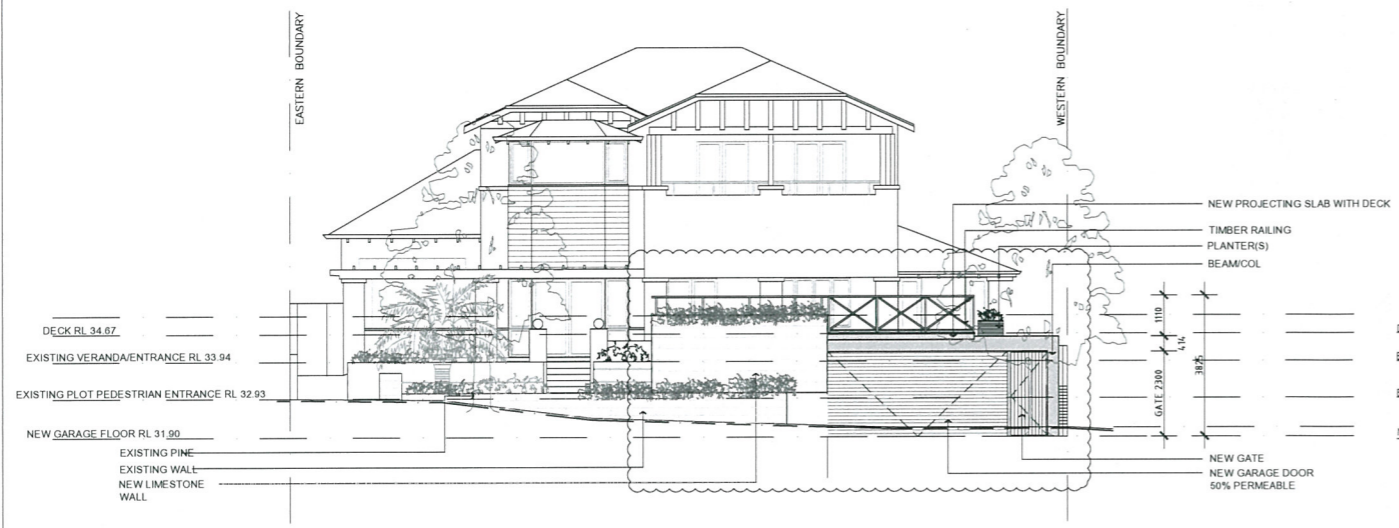
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C	07.07.15	DEVELOPMENT APPLICATION ASSESSMENT RESPONSE
B	18.12.14	DEVELOPMENT APPLICATION
A	10.10.14	NEIGHBOURS INFORMATION

CLIENT  
GEOFF HOLMAN

PROJECT  
PROPOSED GARAGE AND SHED  
1 ROSSER STREET  
COTTESLOE

TITLE  
GARAGE PLAN  
GROUND FLOOR PLAN  
SHED FLOOR PLAN

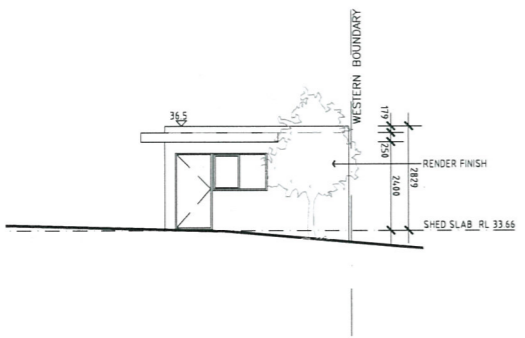
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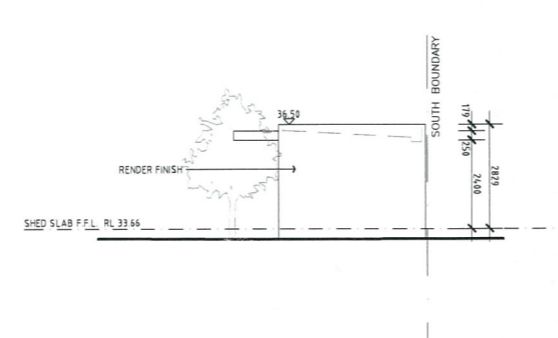
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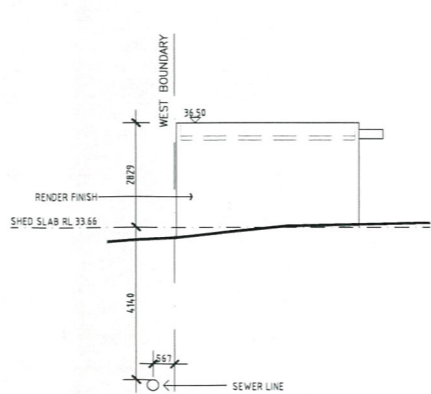
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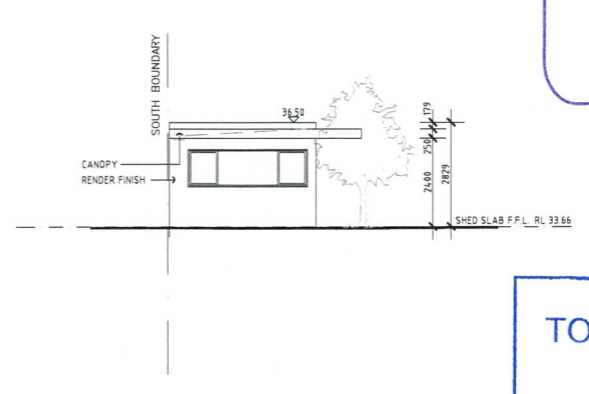
3 NORTH ELEVATION - SHED  
SCALE: 1:100



4 WEST ELEVATION - SHED  
SCALE: 1:100



5 SOUTH ELEVATION - SHED  
SCALE: 1:100



6 EAST ELEVATION - SHED  
SCALE: 1:100

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PLANS

TOWN OF COTTESLOE  
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B	18.12.14	DEVELOPMENT APPLICATION
A	10.10.14	NEIGHBOURS INFORMATION

CLIENT  
GEOFF HOLMAN

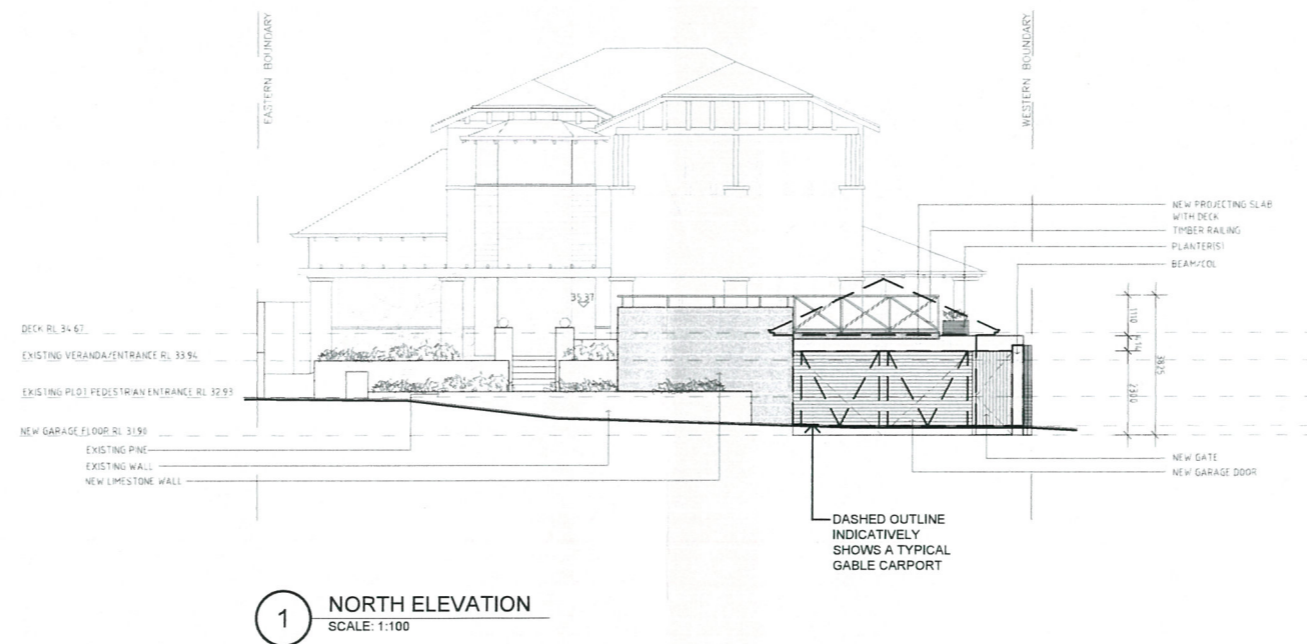
PROJECT  
PROPOSED GARAGE AND SHED  
1 ROSSER STREET  
COTTESLOE

TITLE  
ELEVATIONS-PROPOSED



PROJECT NORTH	JOB No 1409	DRAWING NO
	DATE SEPT 2014	<b>DA 04</b>
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1 NORTH ELEVATION  
 SCALE: 1:100

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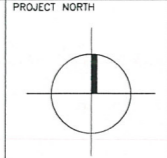
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ISSUE	DATE	REVISION
A	22.07.15	FOR INFORMATION

CLIENT  
**GEOFF HOLMAN**

PROJECT  
**PROPOSED GARAGE**  
 1 ROSSER STREET  
 COTTESLOE

TITLE  
**STREET ELEVATION  
 (DIAGRAM)**



PROJECT NORTH

JOB No	1409	DRAWING NO	<b>SK 01</b>
DATE	JULY 2015		
SCALE	1:100 @ A1 1:200 @ A3		
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