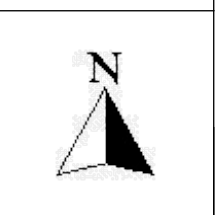


31D Curtin Avenue

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Scale 1:825  
11/06/2015





DR. BARBARA HEWSON-BOWER

PO BOX 6132 SWANBOURNE WA 6010 TELEPHONE: 0411102208

OWNER: 31D CURTIN AVENUE, COTTESLOE 6011

5<sup>th</sup> December, 2014

Town of Cottesloe

109 Broome Street, Cottesloe 6011

APPLICATION FOR PLANNING APPROVAL OF LIGHTWEIGHT ALUMINIUM SCREEN FIXED TO STAIRS/CONCRETE SLAB ADJACENT TO STAIRCASE WALL

To provide context to this application I would like to submit the following information.

In April 2010 we were given development approval for the renovation of the western section of the property. This included a new staircase, a new terrace over a new garage coming off the rear laneway. At the time our neighbours did not disclose that they were involved in planning their own extension adjacent to ours also involving an extension of their living areas and balcony.

In November 2010 whilst my construction was underway, I received notification of their plans. At that time I requested no screening to their proposed west balcony of my boundary fence. I was trying to protect my view to the south and I had not realised the significant impact their new development would have on my property at 31d Curtin Avenue. I had hoped also hoped they would use the middle section of their balcony and not use the northern portion which I was aware would overlook the new terrace. I was not aware that they would also be able to look directly into the living room of 31d. The Taylor's in fact positioned their outdoor furniture at the northernmost end of their balcony and interfere with the privacy at 31d both inside and outside (on both levels).

In October 2011 the Taylor's wrote to me requesting an extension of the boundary wall. They erroneously believed that I had raised the ground level at 31d. This is in fact not the case. The ground level remains the same as it always has – the laundry door came directly out to the current level in the same fashion it did previously. They wrote asking for the brick wall between the two properties to be raised. I had investigated this option when I did my construction but the engineer was unwilling to sign off on increasing the height of the brick wall.

My daughter lives at the property 31d Curtin Avenue, Cottesloe and over the past few years has become progressively uncomfortable with the invasion of privacy by the Taylors. As I mentioned they can view directly into the living room; obviously can see everything on her first floor balcony and onto the terrace below. They have also installed a CCTV camera which can view every aspect of her first floor and terrace level. The Taylor's insisted the police had recommended this, however, when I spoke to the Cottesloe Police they said it was an offence for them to be filming or viewing

Dr. B Hewson-Bower Planning Application 5.12.14

directly into our property. The suggested that I ask the Taylor's to adjust the lens so that they could only view their property which I have done. There has been no change to what appears to be the fish-eye lens.

The Taylors have requested the wall to be raised and have repeatedly mentioned their concern over security issues. They believe that intruders have come into 31d and whilst they have not attempted to enter 31d they have climbed over the wall and attempted on two occasions to break into 31c.

The Taylors without Town of Cottesloe planning approval or my permission have constructed their own boundary fence made of steel posts. I understand their intention was to improve the security of their property. This extends beyond the height of the current brick staircase wall and is not sympathetic to the design of my property. Rather than improve security it has in fact provided a leverage point if someone wishes to climb over the fence.

In order to try resolve my privacy issues I approached Ross Taylor on Sunday 26 October 2014. I explained the privacy concerns and verbally suggested to Ross that I would be happy to pay for either a screen to be added to the northern end of their balcony or to pay for large size artificial olive trees (1.6m high) with pots if they preferred a softer appearance. I spent a considerable amount of time exploring different options and gave them photographs of possible solutions (attached). They refused my offer. I also asked what their thoughts would be if I additionally added creeper to their new boundary wall and again they refused via an email dated 5 November, 2011 (attached).

On 12 November, 2011 I wrote to the Taylors via email (attached). In relation to the current issue I pointed out that we are unhappy with the current situation of them being able to see into the living areas and outside areas, as well as what was visible on their CCTV. I suggested that given the change in wind resistance conditions (following the extension of their living room) I would be willing to have an engineer investigate whether he would sign off on an extension of my staircase wall. The idea of this is to resolve the privacy issues and to remove any possibility of access into 31c from 31d (thus resolving the Taylor's security concerns). Once again via email on 24 November 2014 the Taylors advised 'we do not agree with or want your extended brickwork proposal' (see attached). They argued that the privacy situation has not changed. In fact the privacy situation has changed a great deal since the two terraces have been built (31c and 31d) and especially since the extension of the Taylor's living room and balcony. They could never see into the internal areas of the house previously and until our terrace was built they overlooked the roof of the old garage. Even with the new shade sail they still look over almost the entire terrace if they are sitting on their balcony.

In the residential design codes 7.1 Visual Privacy is recognised as a valid cause for concern and is thought to play an important role in residential amenity. It lists overlooking into living rooms and outdoor living areas at levels higher than 0.5m above ground level as 'of most concern'. The Taylor's have obscure screening in their living area but have now installed CCTV and no screening on their balcony. Intervening screening is one of the options which has not been explored in relation to 31c and 31d and one which I am now proposing.

As I mentioned above, without approval the Taylors have created their own boundary fence adjacent to my staircase wall. Please see photographs. The Taylors have placed their open vertical

steel on top of part of the dividing wall and then adjacent to my staircase wall. I am proposing to create a screen as per the attached plans which will be adjacent to my staircase wall but is not attached to the brick staircasewall which could be seen as the dividing wall (even though it would appear to be on my property and the Taylor's have in fact created their own boundary wall with the new steelwork).

I have explored various options and engaged Locker Group and Ben Oakes from RED engineering to design a concept which would meet engineering requirements given the wind and height conditions. The material which is recommended is 3.00mm aluminium 5005-H34 with an open area of 62.69% and perforation at 7.94mm diameter. This would be powdercoated to match the colour of my wall (an offwhite). We are proposing an overlapping design of lightweight punched aluminium screens which will be equivalent in appearance from both sides. I have enclosed photographs of the design which was built at the carpark at 111 Goderich Street, East Perth. The difference in the design for 31d is that the structure would be supported by sandwiching the aluminium screen onto 125mm galvanised steel (also powdercoated). The openings should provide visual screening but allow light and airflow and with the 125mm square galvanised steel fixed to the staircase and concrete slab and not fixed to the staircase wall. The engineers have confirmed that they would sign off on this structure in the situation adjacent to the staircase at 31d Curtin Avenue, Cottesloe.

I have tried to negotiate with the Taylors offering numerous alternatives but without any success. My alternative now is to propose an intervening screen (as per residential design code suggestions) which is adjacent to the staircase wall. The dividing fences act (p18) states that the Act does not prevent a second fence from being erected adjacent to a dividing fence provided the local government authority approves of the structure (see attached p18\*\*).

I apologise for the extensive nature of the attachments to this proposal but the context is important and the photographs (1-3) show the extent of the invasion of privacy into the living room, upstairs and terrace; photograph 4 the suggestions for resolution of screens, olive trees and creeper; photographs 5,6 and 7 show the CCTV and the new boundary wall constructed by the Taylors.

I hope that the Council will view this application to restore my amenity and visual privacy positively, especially given that it will resolve the security issues expressed by the Taylors.

Yours sincerely



Dr. Barbara Hewson-Bower 5.12.14 Page 3



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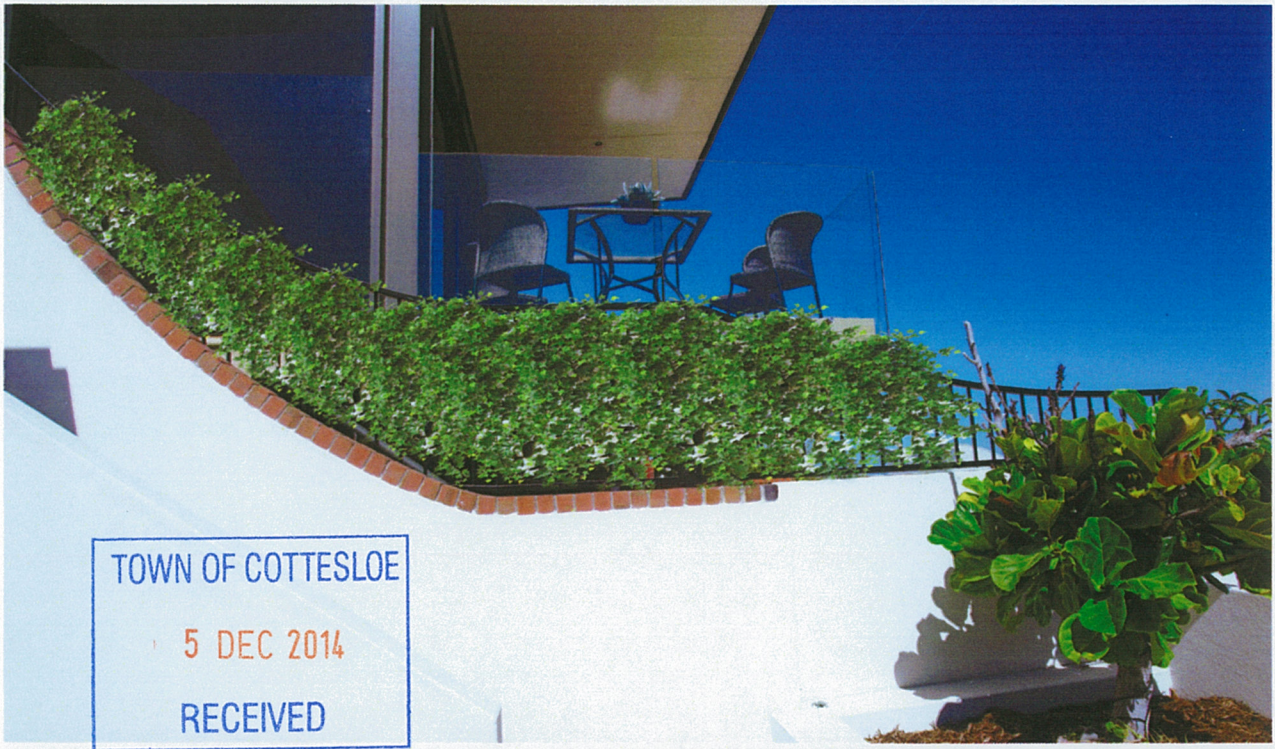


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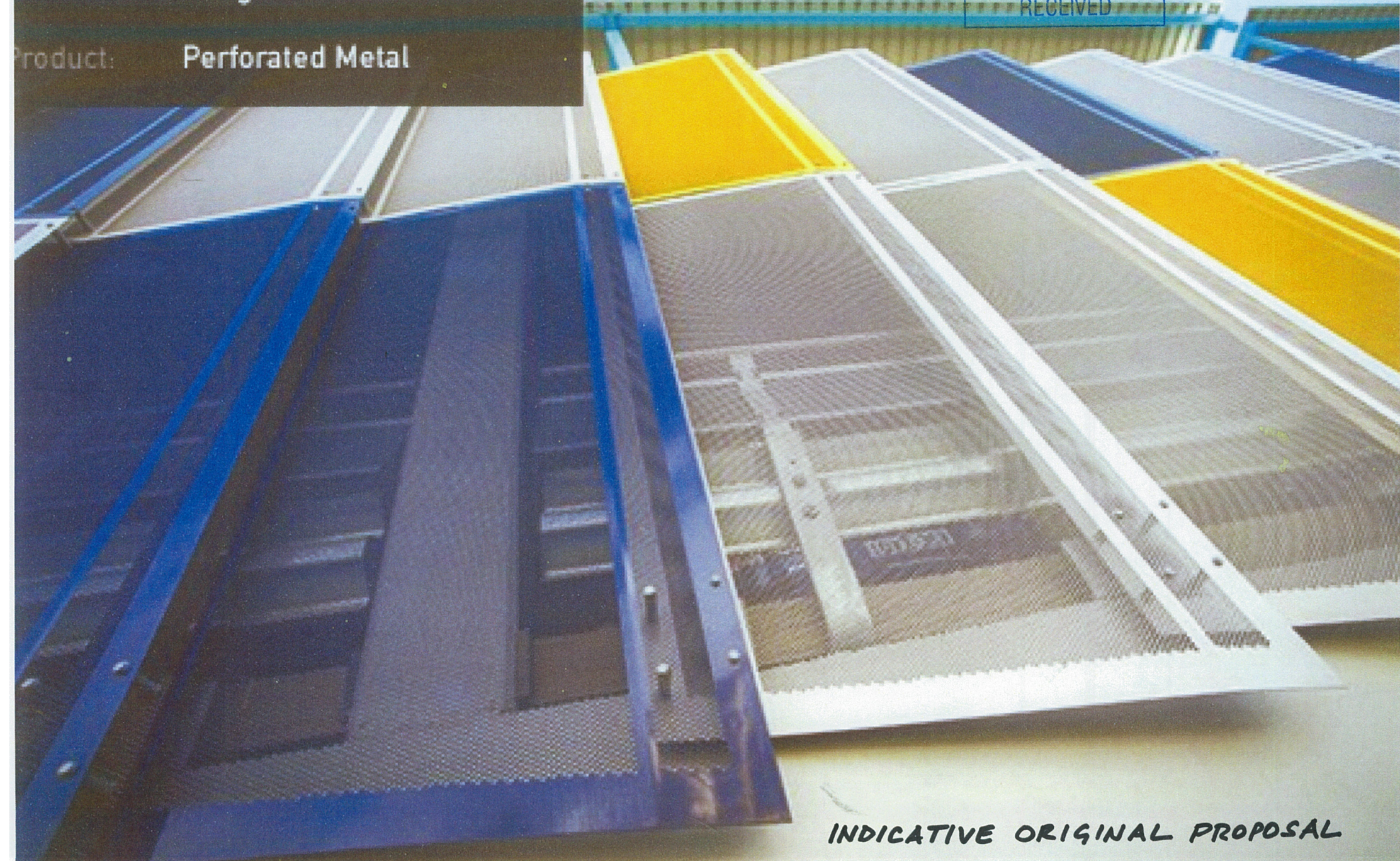


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Location: 111 Goderich St, East Perth  
Product: Perforated Metal

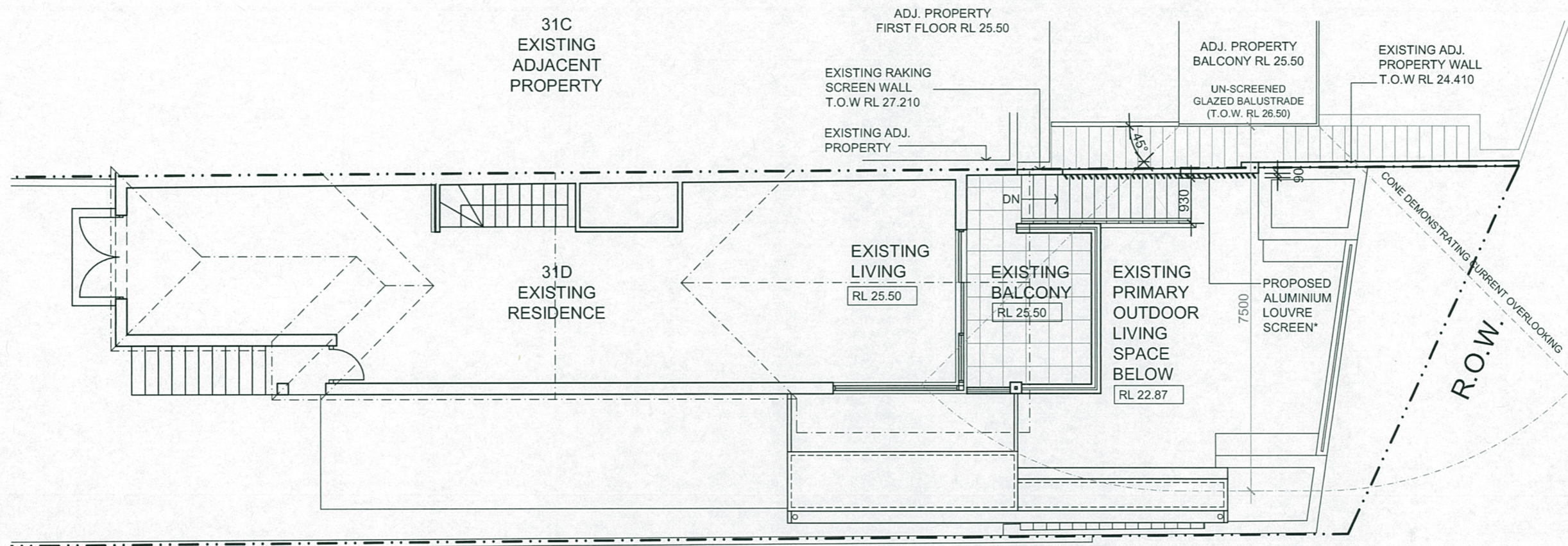
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*INDICATIVE ORIGINAL PROPOSAL*

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\*ALLOWING PRIVACY FOR PRIMARY OUTDOOR LIVING SPACES WHILST AFFORDING LIGHT AND DESIRABLE VIEWS FOR ADJACENT PROPERTY

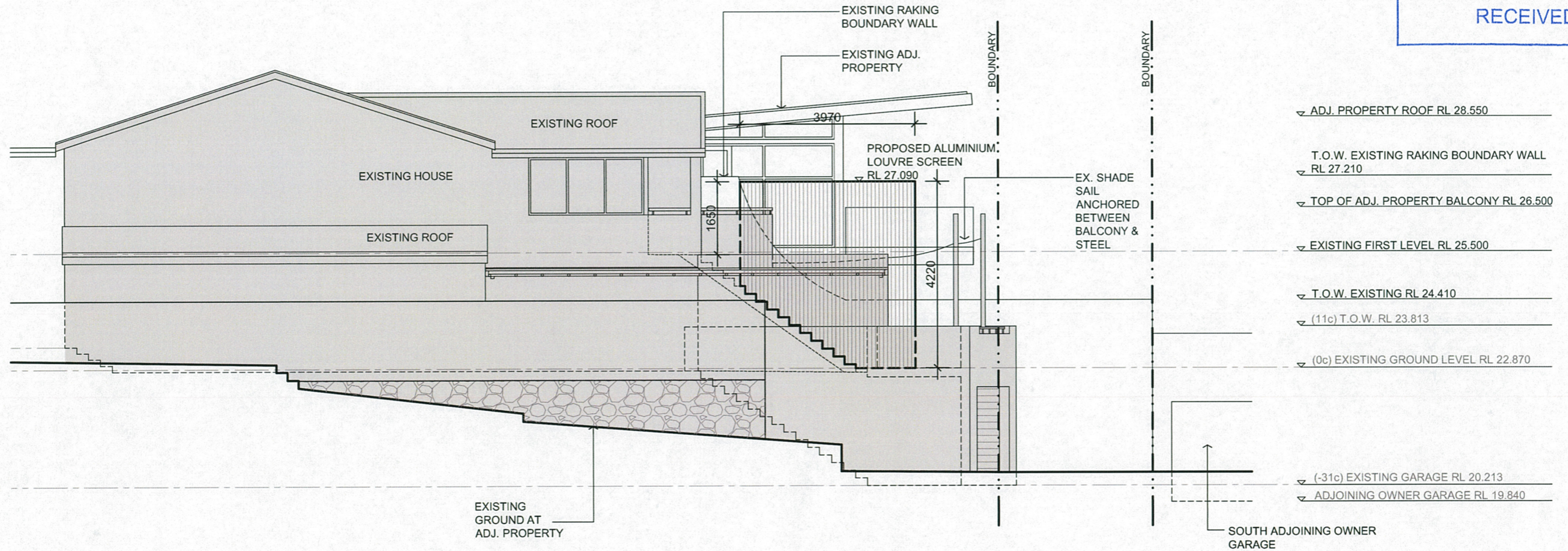


EXISTING VIEW FROM FIRST FLOOR BALCONY



PROPOSED ALUMINIUM PRIVACY SCREEN

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**SCANLAN**  
 ARCHITECTS

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 FAX: +61 8 9485 0435

CLIENT  
**DR BARBARA HEWSON-BOWER**

PROJECT  
**PROPOSED PRIVACY SCREEN**  
 LOT 2 NO. 31D, CURTIN AVENUE, COTTESLOE W.A.

TITLE  
**NORTH ELEVATION**

PROJECT NORTH	JOB No 1506	DRAWING NO <b>SK02</b>
	DATE 10 JUNE 2015	
	SCALE 1:100 @ A3	
	DRAWN GB	
	CHECKED SCANLAN	ISSUE FOR INFORMATION



**EXAMPLE LOUVRE SCREEN**

\* Photos taken from 310 Curtin Avenue



**TRIMMED**  
Document Number  
D15/289



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\* Photos taken from 31C Curtin Avenue



\* Cont



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