

# Report in respect to Urban Design considerations: Visual and View Impacts



53-55 Donninson Street West, Gosford

Report prepared by Dr Philip Pollard FRAIA MPIA

## 1. Purpose

1.1 The purpose of this report is to consider the appropriateness of the proposed apartment building at 53 to 55 Donninson Street West Gosford, in respect to urban design, visual impacts and its impacts upon nearby and surrounding properties, and the public realm, in respect to views.

## 2. Introduction

2.1 Capacity to make informed comment:

I hold under-graduate and post-graduate degrees in architecture and I am a Registered Architect (NSW 5241) and am a Fellow of the RAIA. I am a member of three Chapters of the PIA: Urban and Regional Planning; Urban Design; and Social Planning. My PhD research and exegesis focused upon the contribution of architecture, landscape design and public art to the creation of memorable place.

A consistent element of my last 25 years of professional practice has been a practical commitment to achieving excellent design outcomes in the urban and natural environment. This I have sought to bring about through my practice of urban design, landscape design (in collaboration) and architecture. I have regularly provided expert evidence in Class 1 and Class 5 matters heard in the NSW Land and Environment Court, over a period of the last 16 years. My work is highly regarded by my peers, as is demonstrated by my selection as a Juror for the NSW AIA architecture awards (2009 and 2010) and the awarding of the AIA President's Award recognising "*an outstanding contribution to the architectural profession*". I also currently serve on four Design Review Panels, including the NSW State Design Review Panel, for projects of state significance. Each of the panels was appointed by the NSW Planning Minister, and in the case of the three local government panels, I was subsequently re-appointed to the SEPP65 panels by the relevant Council.

2.2 I have been instructed by Mr Christian Charles, a project Principal, to prepare an opinion relevant to my expertise, addressing the impacts of the proposed development. I attended the subject property and its surrounds on 31 July 2020, and the photographs in this report were taken on that day. The camera used for the photos was a Canon EOS Mark III which is compliant with the NSW Land and Environment Court's guidelines for photographs that are to be used for photomontages. Focal length of images was 50mm unless otherwise noted.

2.4 In preparing this Report, I have reviewed and considered the following Application documents in particular:

- (a) Pre -DA Drawing Package 19074 ELK Architects, Dated 07/09/2020.
- (b) Draft DA Landscape Architects Documents Dated Sept 2020.
- (c) Statement of Environmental Effects (undated) prepared by Wales & Associates

## **2 Context and Urban Design Considerations**

2 (a) The subject property is located on the corner of Donninson Street West and Batley Street West, Gosford. Donninson Street runs across the urban area of Gosford in an approximately east-west direction, and is divided at approximately its mid-point, by the main northern railway line and the Pacific Highway, into its “West” and “East” ends. The street rises as it extends westwards from the railway, to its highest point outside the subject site, which equates with a spur ridge which extends from the hilltop of Waterview Park and falls southwards to the nearby edge of Brisbane Water. Batley Street runs close to the upper edge of this spur ridge. The northern side of Donninson Street is quite elevated above its southern side, upon which the subject site is located. Development on the northern side of Donninson Street in this area is restricted to relatively shallow lots that rise steeply from the roadway, backing onto the densely treed slope of Waterview Park.

The development opposite the subject site in Donninson street consists of original single dwellings that appear generally to have been constructed from the mid C20th. Immediately opposite the site at No.58 Donninson Street is a three level dwelling designed to resemble a castle, which adjoins a locked service road within the park, known as Waterview Drive on the dwelling’s eastern side. To the east of the “castle” house is a sixties two-level cottage which is also partially opposite the subject site and similar single dwellings occupy this side of the road up to No 70 Donninson St, which is opposite the intersection of St George Street. To the east at 72-74 Donninson St is a new apartment building of nine stories, known as “Scenic”.

Immediately to the south of the subject site is an 8 storey apartment building that fronts Wilhelmina Street to its southern side. This building has a substantial footprint which is close to square in plan, and appears to have as many 12 apartments per floor. The author is advised that this development benefitted from bonus provisions pertaining at the time of its development approval, both in terms of height and FSR – the latter being 3:1.

Opposite the site on the western corner of Batley Street and Donninson Street to the west, is a seven-storey apartment building (14 Batley St), which has a five-storey apartment building adjacent to it on its southern side at 10 to 12 Batley Street.



Figure 1: The subject site (above) shown in blue and surrounding recent tall apartment developments (image ELK architects) (below) indicated by red arrow (Google maps)







Photo 1: New 9-storey apartment building "Scenic" at 72-74 Donninson Street, backing onto Waterview Park





*Photo 2: 8-Storey Apartment building on the corner of Batley Street & No.2-6 Wilhelmina Street, adjacent to, & south of the subject site*



*Photo 3: Subject site (left with black SUV in driveway) 2-6 Wilhelmina Street adjoining apartment building to its south (right)*





*Photo 4: Apartment building on the SW corner of Wilhelmina and St George Streets, viewed from the SE from George St*



*Photo 5: Seven-storey apartment on the corner of Batley and Donninson St opposite the subject site to its west.*





*Photo 6: View south down Batley Street from the road edge outside the subject site. No10-12 Batley St centre right*



*Photo 7: Looking north up Batley Street towards Waterview Park. No. 10-12 Batley Street is the apartment building in the left foreground, behind it is 14 Batley St (on the corner of Donninson St). Subject site is at the T-intersection, top of hill on right.*



### 3 Urban Design and Visual Impact Considerations

The character of the area is undergoing a significant change in response to the controls, with the predominant lower-scaled single dwellings and occasionally occurring smaller flat buildings, being replaced in recent years by apartment buildings of a considerably greater scale. The current character is consequently a mixed one, but likely future character is clearly in the direction of mid-scale apartment buildings in this area, located as it is a short distance from the Gosford rail station.

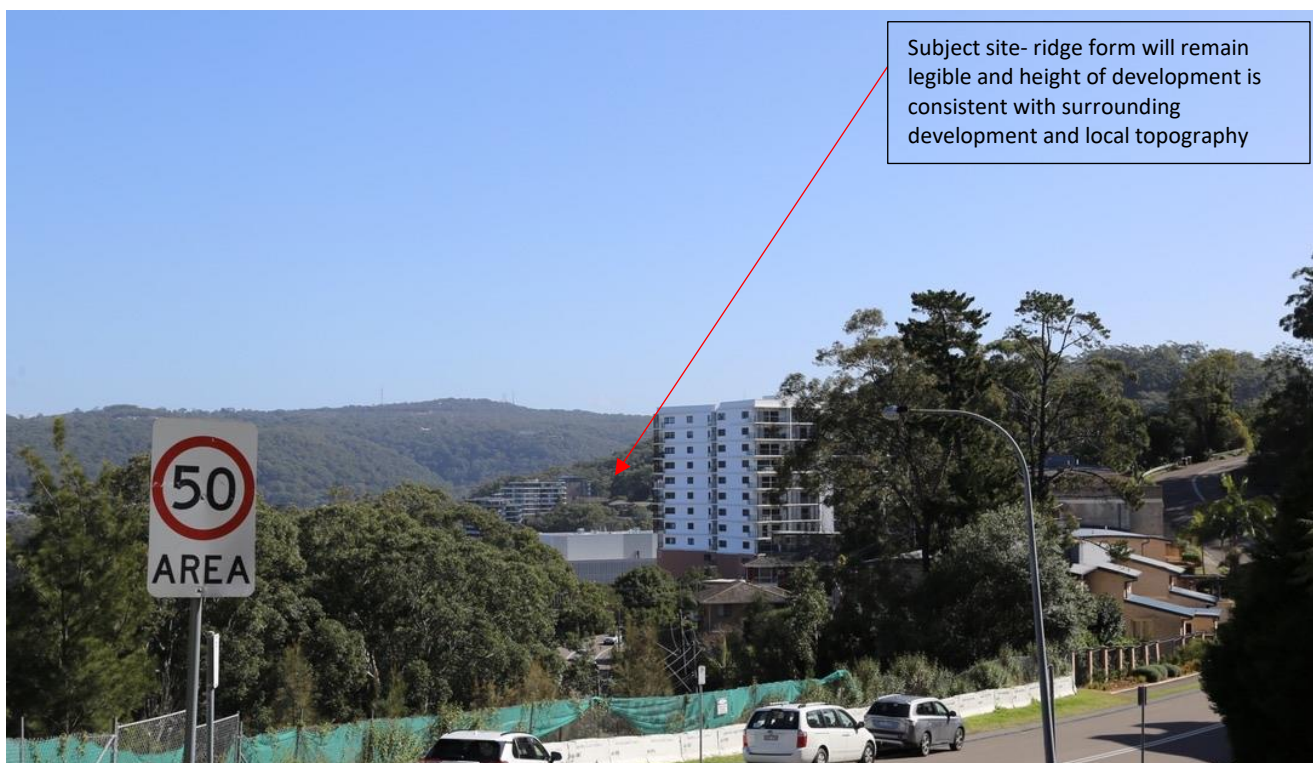
Most of the more recent development nearby the subject site, in spite of taking advantage of bonus provisions that have in some instances allowed increases in height and FSR beyond the LEP controls, has maintained a legibility of the attractive landforms in the Gosford area. Streets that run down to Brisbane Water, such as Batley St and St George St, have permitted a maintenance of attractive vistas from the public realm. Further to the west, the densely treed high ridges within the Brisbane Water National Park form a very attractive, dramatic mid-distant skyline towards the west of the city area. More immediately proximate to the urban area, the steep slopes of Waterview Park immediately to the north also provide an attractive green backdrop and skyline. To the east, the ridges wrap around following the shore lines of Brisbane Water, and newer development has generally been of a scale that has continued to allow the legibility of the terrain to the east of the city as well. One 14-storey apartment building situated between Mann Street and Henry Parry Drive is of a scale that breaks the skyline as viewed from many locations, in addition to having a bulky podium and footprint. This development is considered to demonstrate some characteristics that work against the positive attributes of the city and its surrounds.



*Photo 8: View across Central Coast Stadium looking SE towards the 14-storey apartment building located at the southern end of Mann Street*



Photo 9: View from the corner of Wilhelmina St and St George St looking north to Waterview Park hill, Donninson St intersection at top of rise right. Podium of apartment building seen in Photo 4 is at far left.



Subject site- ridge form will remain legible and height of development is consistent with surrounding development and local topography

Photo 10: View to the site from John Whiteway Dr looking north-east. Focal length 50mm – as seen by the naked eye





Photo 11: Focal length 85mm (mild telephoto) image from the same location as Photo 10 (above)- red arrow indicating site at centre.

### The Proposal:

The proposed development is a slender building containing only four apartments per floor, all of which are corner apartments. This slenderness has a number of benefits, including excellent daylight access and cross-ventilation for the dwellings, reduced overshadowing to neighbouring properties, and a reduced visual impact arising from a less bulky form in the streetscape. Seven levels of residential accommodation are proposed above two levels of basement, which are partially exposed due to the crossfall of the site. The number of residential floors and height above natural ground-level is directly comparable with the existing development opposite at 14 Batley Street (*Photo 5*), and is a floor less than the large-footprinted apartment building immediately adjacent to the south (2-6 Wilhelmina St – *Photo 2*). The proposal has two residential floors fewer than the nine-level “Scenic” development at 72 Donninson Street (*Photo 1* and *Photo 12* -below).

The Applicant is seeking to depart from the controls in respect to height, by a distance that equates to just over one floor at the building’s northern end, and equates to slightly more than two floors at its southern façade. The building is articulated to this southern end, with the upper two apartments being set back. The resulting streetscape is consistent with the approach taken in recently approved surrounding apartment development, and the extent of height exceedance is moderate compared with other properties that have enjoyed bonus provisions at the time of their approval.

The Applicant also seeks a departure beyond the relevant FSR control for lots of the subject width – which reduces the Zone FSR to 1.5:1 from the standard prevailing 2:1. The subject proposal has a FSR of 2.15:1, which compares with its immediate southern neighbour’s 3:1. The lesser density of the

subject proposal is considered to provide a more elegant, slender building, and the extent by which the control is exceeded is considered moderate, and without adverse impacts.



Photo 12: “Scenic” (right) at 72 Donninson St– looking west towards the subject site on left at crest in road. No 58 Donninson St is the “Castle” residence with the red roof.



## 4 The extent to which views are impacted by the proposed works

I have considered the likely impact upon views obtained from nearby properties to the proposal in and have drawn upon the terms outlined in the Planning Principles of the New South Wales Land and Environment Court. In particular the matter which has been identified as illustrating the principles is *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140. Senior Commissioner Roseth outlines a four step process for assessing views:

- I. assessment of the quality of the views
- II. where the views are obtained from
- III. the extent of view loss
- IV. the reasonableness of the proposal

Addressing these four steps:

### 4 (i) The Quality of the views:

#### **Views from public places:**

The higher order views obtained from public places in the area of the proposal are generally restricted to the streets and footpaths of the roads that run north-south with the shores of Brisbane Water at their lower end. Batley Street provides an attractive sequence of partially filtered views as one walks south along its footpaths. The view could not be considered panoramic – but public realm views are in some locations of a high quality, in part because the view takes in the land/ waterway interface and has attractive hills and mountains in the background. Views from public places at ground level across property boundaries, even in areas of original mid-century development, are limited and are largely obscured by development and vegetation.

Views from the lookout in Waterview Park are of very high quality, due to the elevation of the viewing point and the attractive surrounding hillsides, ranges and water bodies.

#### **Views from private properties:**

The quality of views obtained from private properties in the area are more varied, and in most instances even for original, low scaled development, the best views are obtained from properties that have visual access to the Brisbane Water land/water interface via corridors formed by the public streets, such as southwards down Batley and St George Streets.

### 4 (ii) Locations where the views are obtained:

Views from Waterview Park to the south, south-east and south west, will not be impacted adversely by the proposed development, due to the considerable height difference between the top of the building and the visual access point (the Lookout) which occurs at the top of the steep, heavily forested hill.

Views in the vicinity of the subject site from private property gained across side and rear boundaries are limited, and are inevitably less likely to be panoramic, and where available, are primarily filtered, partial views. These cross-boundary views are also most likely to be built out or partially obscured by new development. Upper floor views are in most instances likely to be less impacted by development than dwellings on lower floors.

Equitable view sharing arises when the gaps between buildings are more generous, allowing at least partial views between them, and when the maximum height of buildings is such that the building heights reflect the natural terrain at ground level – thus allowing higher floor dwellings the opportunity of obtaining views over the lower sites, in this instance to the south. The subject site is at the highest point on the southern side of Donninson St. Batley Street is also situated on a minor ridge, such that properties on either side of the road fall away from it. The only residential sites nearby the subject site that have a natural ground level higher than the it, are opposite on the northern side of the road at No. 58, 60 and 62 Donninson St. Any future development of No 58 and 60 is likely to take a similar form to the “Scenic” development to its east.

This site will offer any future development some attractive views towards Brisbane Water down Batley Street, as there is a wide separation across Donninson St, between these properties and the subject site. Due to the steep topography, an amalgamated site created by Nos. 58 & 60, will also offer the opportunity of the upper 3 or more floors of future development, to obtain panoramic views over the top of the proposed development to the horizon in the south. Beyond these sites to the east in Donninson St, the natural topography falls steeply, such that views are more limited and are obtained more to the south and south-east.



Photo 13: View from the footpath outside No 60 Donninson St



Properties on the western side of Batley St, including No.14 - on the Donninson St corner (See *Photos 6 and 7*) - obtain their views either down Batley Street or across the roofs of the developments to their south (10 Batley St), and will not be significantly impacted by the proposal.

In respect to the adjacent units immediately to the south of the subject site (2-6 Wilhelmina St), their views northwards, which are limited, local views towards Waterview Park hill, are of a considerably lower order than the views to the south, as these views do not include bodies of water, and are not composed of middle distance and distant elements. Views to the greenery of the hill are already partially obscured by the topography and existing low-scale development on the site.

#### **4 (iii) Extent of the view loss:**

There are no significant view losses from any public places arising from the proposal, including views from the Waterview Park.

View losses from private properties in the surrounding area are limited in their location due to the subject site being situated close to the highest developable site in the area. View impacts upon the properties nearby on the northern side of Donninson St are reduced by the considerable distance between these properties and the site, by the proposed building's slenderness, and by the retained view corridor south down Batley Street to the water.

Views obtained from other properties, including the adjacent unit development at 2-6 Wilhelmina St, are primarily orientated to the south (away from the subject site) to take in the high quality water/land interface with Brisbane Water. Northern views, as they exist, are of a lower quality and are local views to the hill.

#### **4 (iv) The reasonableness of the proposal:**

I consider the loss of views arising from the proposed development to be limited in their extent, and to potentially create moderate impacts at most.

The proposal is therefore considered reasonable in this regard.

## **5. Conclusion**

Impacts arising in respect to view losses in the area are minimal in respect to views from public places, and are no more than moderate in respect to any views from private places.

In my opinion the proposal is a well-considered design that sites comfortably in the context. It is complementary to the area's likely future character, and though different in scale to the original development in the area, contributes positively to the city's current character.

A handwritten signature in black ink, appearing to read 'R. Pollard', with a stylized, cursive script.

Dr Philip R Pollard  
4 November 2020