
From: Kevin Reed
Sent: 10/04/2024 1:34:26 PM
To: Claire Ryan
Cc: Council Northernbeaches Mailbox
Subject: TRIMMED: DA2024/0284 - 34 Pavilion St Queenscliff - DA Objection
Attachments: 34 Pavilion St Queenscliff - DA Objection .pdf;

Hi Claire,

Please find attached letter of objection to DA2024/0284 relating to 34 Pavilion St Queenscliff NSW 2096.

Please can you confirm receipt this letter has been received from Council within the DA exhibition period.

Regards,

Kevin Reed


Date: 10 April 2024

Kevin Reed & Nicole Andrews
Owners
36 Pavilion St
Queenscliff NSW 2096

Claire Ryan
Principal Planner
Development Assessment – South Team
Northern Beaches Council

RE: Objection to DA2024/0284 – 34 Pavilion St Queenscliff NSW 2096

Dear Claire,

We write to you to object to the proposed development at 34 Pavilion St Queenscliff, Application reference number DA2024/0284 submitted 22/03/2024.

The proposed development is located directly next door to our property at 36 Pavilion St, Queenscliff. Our property is positioned to the West of the applicant's property at 34 Pavilion St, Queenscliff.

Concerns

The length of this response was required as there were many inaccuracies stated in the DA submission to support the proposed dwelling to Council. In addition, the proposed building development bulk and scale are not consistent with the neighbouring properties and would be dominating to the streetscape. The proposed three storey building would tower over all dwellings in the street, in particular our property, and would impinge negatively upon our privacy and solar access and general amenity. Additional shading would be created to our primary living areas and primary external spaces.

We object to the DA submission, as summarised below and referenced in no particular order of concern;

- **The proposed dwelling facade will be dominating to the streetscape as a three-storey dwelling. All other nearby dwellings along the street appear as a maximum two-storeys.**
- **Extensive loss of sunlight to our main living areas from the proposed new third-storey level introduced and the extension of the existing balconies.**
- **Extensive loss of privacy to our main living areas from the proposed new third-storey level introduced and the extension of the existing balconies.**
- **Loss of privacy to our external areas from the proposed new third-storey level introduced and the extension of the existing balconies.**
- **Loss of amenity to our internal and external living areas due to the projection of the proposed dwelling's built form to the rear and front boundaries.**
- **Inaccurate documents have been submitted as part of the applicant's DA submission**

We simply cannot live with these losses.

Suggestions

We provide suggestions of plans with some ideas for how to better manage the bulk & scale of the development and reduce amenity loss to neighbouring properties.

Discrepancies in Design Documentation

To fully understand how the current proposed building form contravenes the current planning controls and impacts our property, it is first important to identify where the applicant's submitted documents are inaccurate.

The applicant's proposed design submission has inaccurately represented, including but not limited to;

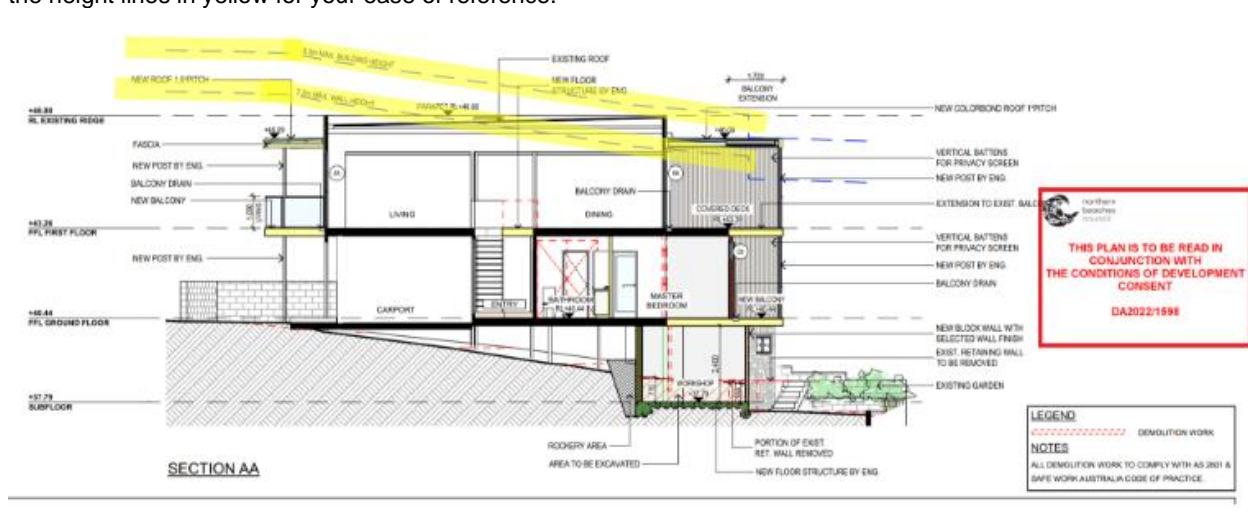
- Inaccurately representing the building height controls, including building height and wall height controls
- Inaccurately showing landscape plans that do not reflect the current proposed developments impact
- Inaccurately providing misleading information in the statement of environmental effects
- Inaccurately showing shade impact to neighbouring properties
- Inaccurately identifying impact to the streetscape

Inaccurately shown 8.5m maximum height line & 7.2m maximum wall height line on the drawings

The existing dwelling construction consists of brick piers supporting an elevated light weight timber construction house off from the ground level. This construction is consistent with surrounding developments and commonly seen along the eastern coastline.

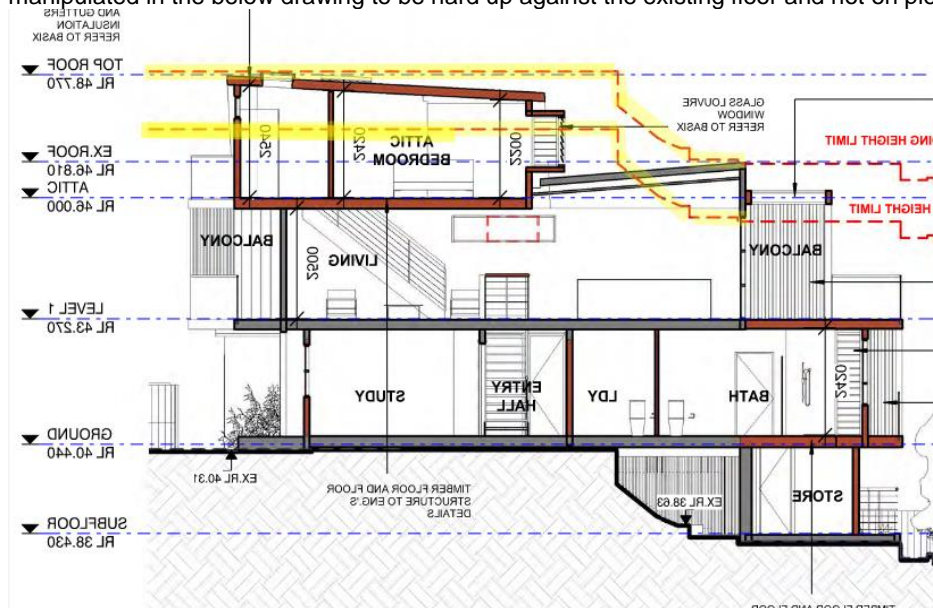
As part of this application, a site survey has been submitted (Drawing: titled 12615A detail most recently dated 24/06/22). This same site survey was used by the applicant as part of a DA that Council previously granted approval and adopted this survey and submitted plans as true. Refer to DA2022/1598.

The survey demonstrates, with RL's taken on site, the natural fall of the land and as is evident on site. These survey RL's have been extrapolated onto the previously approved plans to establish the 8.5m maximum permissible building height line and maximum 7.2 wall height line. See below extract of the section from the DA approved plans DA2022/1598. I have highlighted the height lines in yellow for your ease of reference.

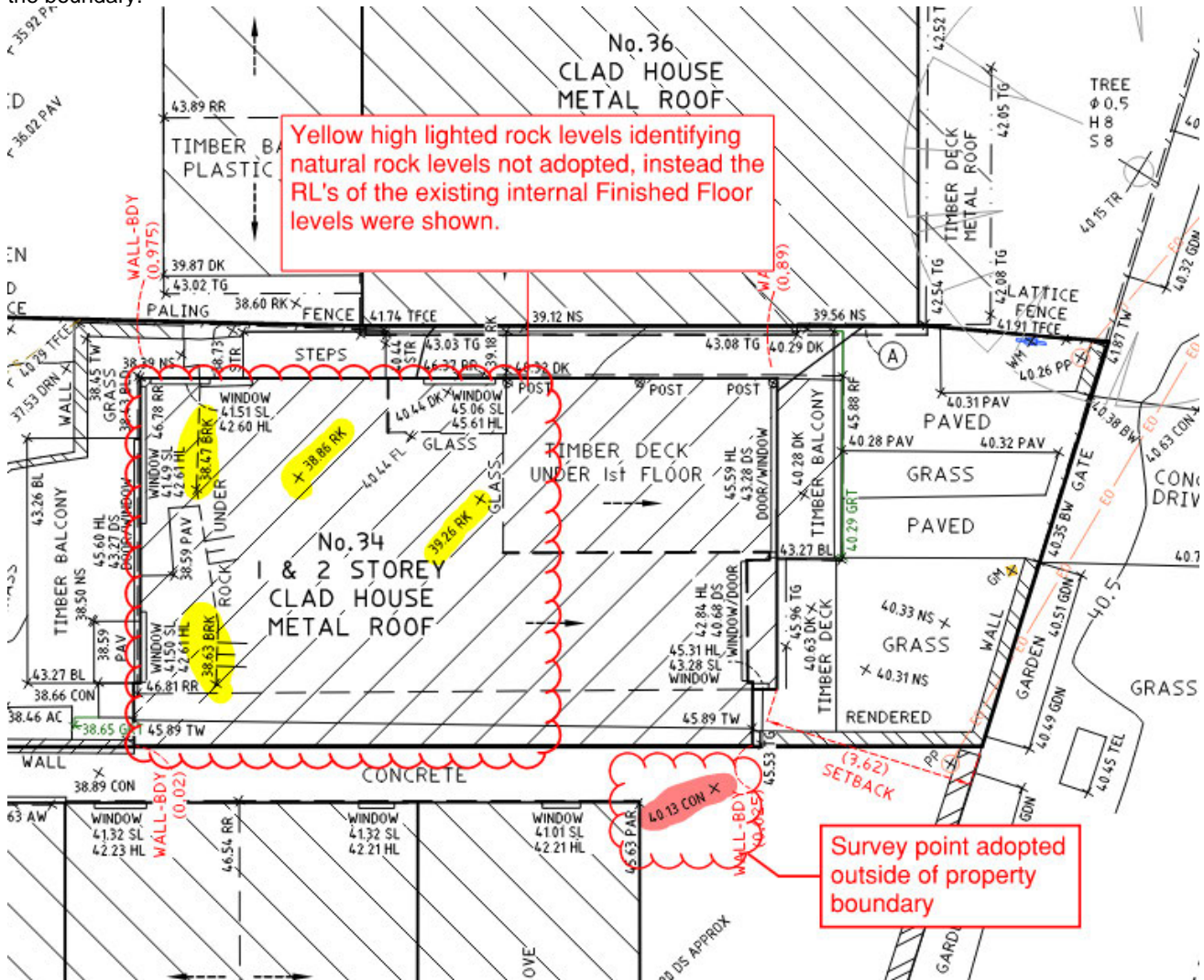


You will note these maximum height lines looks vastly different on the applicant's recent submission DA2024/0284. Extract of section below that shows these building control lines considerably higher, (maximum 8.5m building height line and maximum 7.2m wall height line shown marked in yellow).

These control lines have been shown up to approx. 1.7m higher than the approved DA2022/1598. For ease the below image is mirrored to show the difference between the two section height lines. You will also note that the natural ground level has been manipulated in the below drawing to be hard up against the existing floor and not on piers which is factually incorrect.



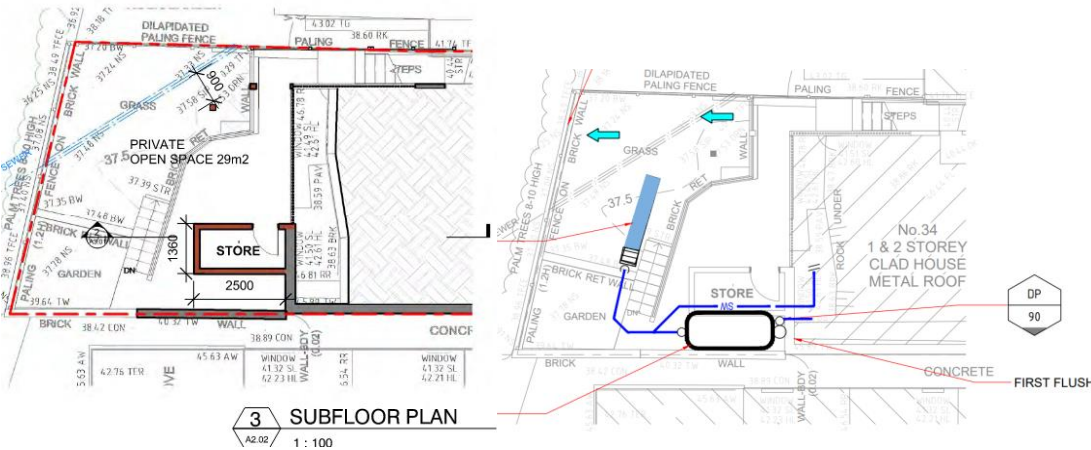
Misleadingly, the applicant has now ignored the survey points as part of their new application. See survey plan on page over identifying the survey points with mark ups in yellow identifying the survey points that were not extrapolated. Instead the applicant has adopted internal finished floor level RL's to attempt to demonstrate higher allowable height lines, and RL's outside the boundary.



In consideration to this omission, and once the survey points have been correctly extrapolated to demonstrate the 8.5m height line, the proposed development grossly impedes on the maximum allowable building and wall height lines.

See mark up on the following page.

The Ground Floor architectural plans (Drawing no. A1.04 Rev H titled Subfloor, extract below) demonstrate that a new solid brick constructed store room and a brick retaining wall are to be constructed on the eastern boundary. Further to this, the hydraulic plans represent that an OSD tank is to be installed behind this store room directly on the boundary.(Drawing SW01 Rev. 1, titled Stormwater management). **In total the proposed area of this construction (2.5m x 2.5m) is approx. 6.25m2 in area over the existing landscape area.**



The applicant's submitted Statement of Environmental effects advises there is no change to the landscaped open space area **despite there being a 14% reduction just for the lower ground floor store room and OSD tank.** Further to this, **the proposed ground floor extension will further reduce the existing landscaped area by approx. 15m2, an additional 32% reduction from what is currently considered landscaped area.**

See extract below of applicant's SEE.

D1 Landscape Open Space and Bush land Setting Minimum 40% of the site is to be landscaped open	The minimum landscaped open space required is 40% of the site area. (areas more than 2.0m in any direction)
space.	Site area of this allotment is 159.40m2 40% control MIN 63.76m2 Existing landscaped open space area 45.70 m2 28.60% New landscaped open space area 45.70 m2 28.60% * NO CHANGES TO THE LANDSCAPED OPEN SPACE AREA

The existing dwelling is already at a reduced landscape ratio, failing to meet the landscape planning controls and the proposed development only reduces this ratio substantially further. It is apparent the existing dwelling has already been maximised for the lot size and substantial leniency provided in past building approvals. Further proposed development that would reduce built form setbacks would only negatively impact the already compromised landscape.

Impact to streetscape

The existing dwelling is a two-storey building with a metal skillion roof form. The built form appears generally as a 'box' given the side walls extend fully from ground level to the roof line. This building is currently positioned with nil to minimal setbacks to the sides and front boundaries, and already not meeting planning controls. This emphasises the bulk and scale of the built form and visually appears to already exceed the small footprint of the site and offers little relief to the streetscape.

The proposal to introduce a third-storey to this existing building, further exacerbates this by creating an even higher monolithic form. There have been inaccuracies in describing the proposed development as an 'Attic', when this is clearly an addition of a third level.

The proposed northern elevation has not identified the existing roof height at the northern elevation street frontage. Instead the RL of the roof at the rear has only been shown.

Referring to the site survey, the existing roof height along the north elevation is positioned at a height of RL45.94. I have marked up this RL line in yellow below. It is apparent the newly proposed walls and roof of the proposed development when viewed from the street are an additional full storey over the existing roof.

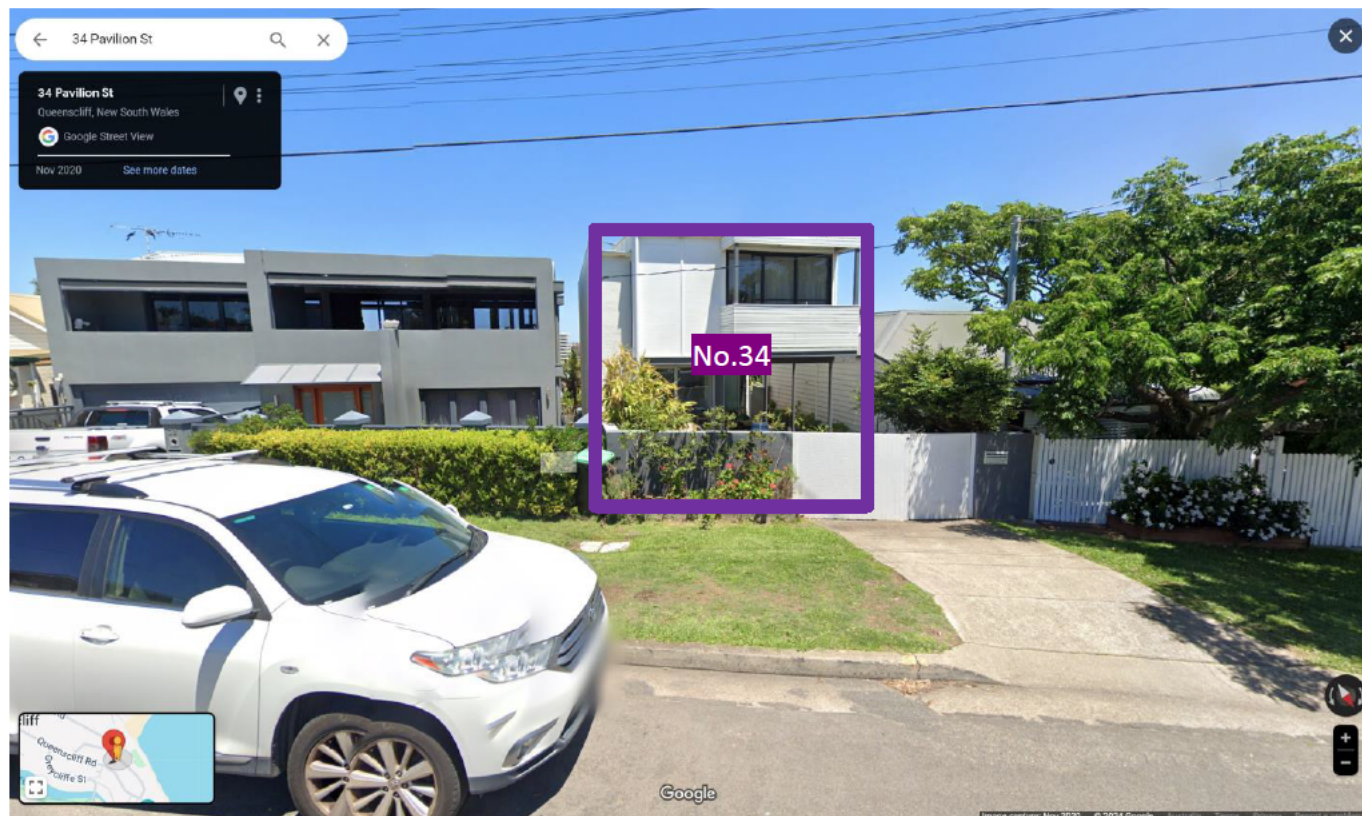
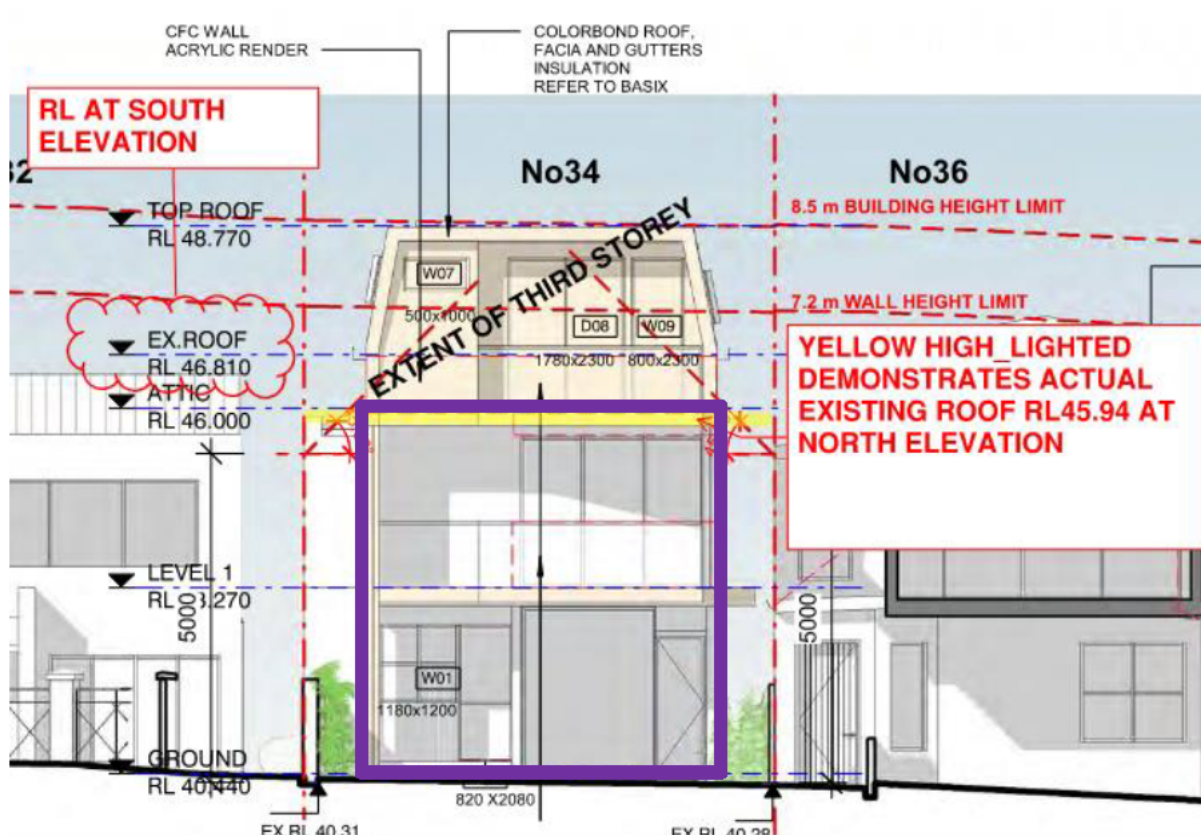
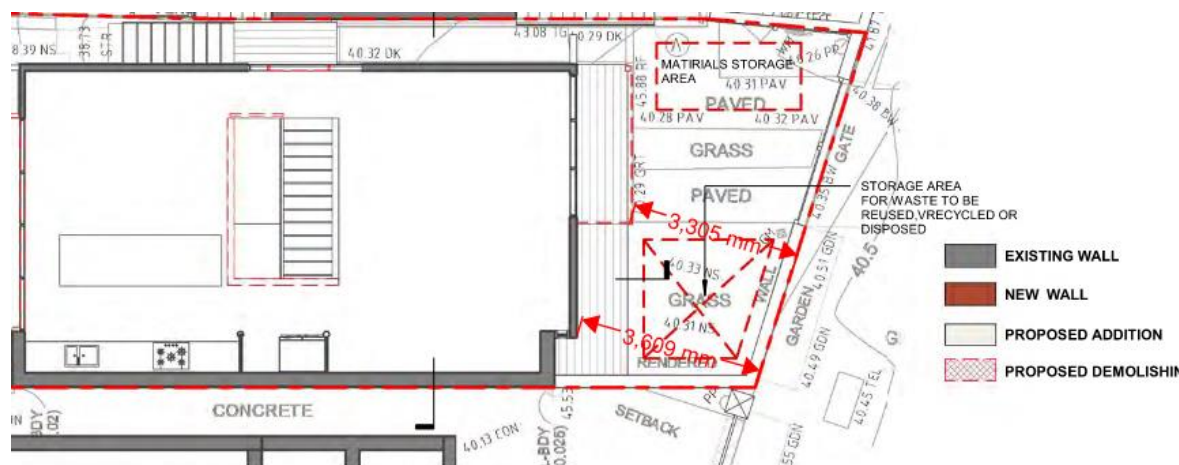


Photo above: Showing No.34 existing dwelling street façade dominating in height to neighbouring properties.

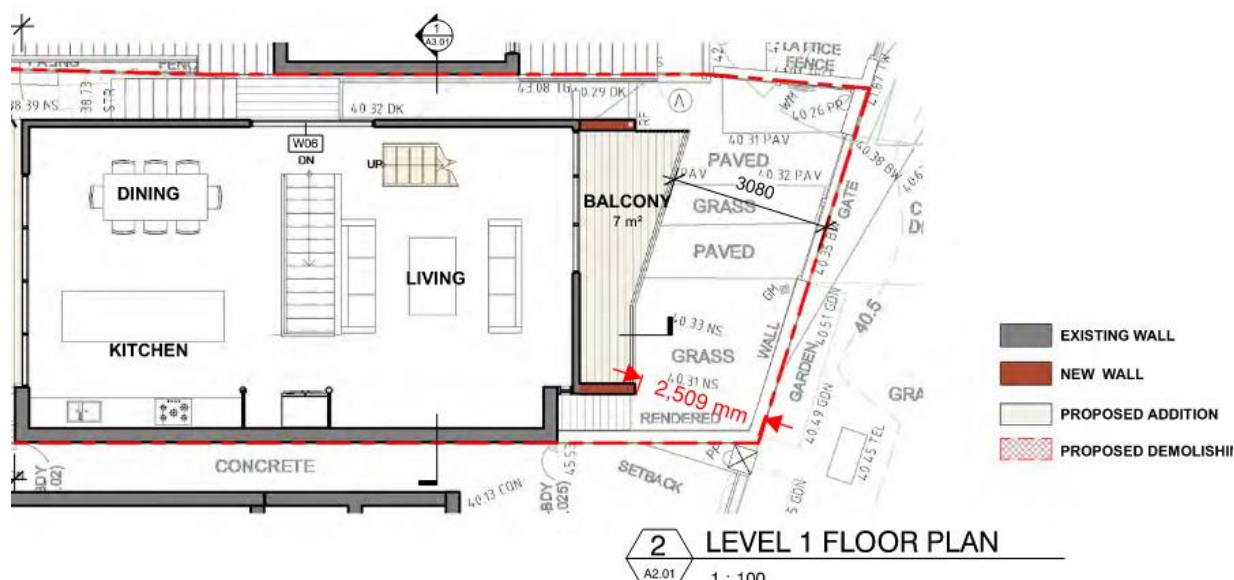
It is evident the proposed walls exceed the 7.2m height limit at the street frontage, instead extending all the way to the 8.5m building height limit, despite the applicant's statement of environmental effects ignoring these breaches.

The existing second-storey balcony of the building is currently setback approx. 3.3m, and solid built form set back to approx. 3.6m. The proposed design for the second-storey and third-storey reduces this already minimal street setback of the proposed solid form further to approx. 2.5m. See below scaled mark ups for your reference.

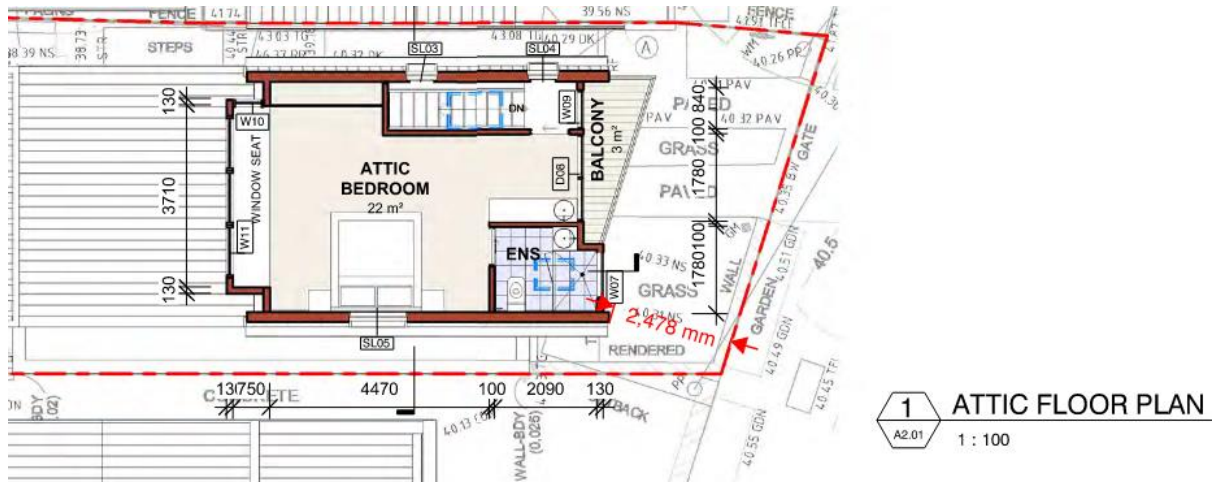
Refer to front setback mark ups below and on the following page.



2 EXISTING LEVEL 1 PLAN & PROPOSED DEMOLISHING
A2.01 1:100



2 LEVEL 1 FLOOR PLAN
A2.01 1:100



Mark up above showing setback to proposed third-storey as approx. 2.5m from front boundary.

The proposed dwelling facade will be dominating to the streetscape as a three-storey dwelling. It is demonstrated, the current proposed building would tower over neighbouring properties and would not be consistent with the other dwellings within the vicinity along Pavilion St, that appear as one-storey and two-storey developments as viewed from the street. This is further exacerbated by the proposed and extreme encroachment of the built form on the front boundary setback planning control.

Loss of Amenity to our Property

The applicant has inaccurately demonstrated the impact and loss of amenity to our existing dwelling and future DA approved dwelling (refer MOD2023/0350) in their proposal.

The applicant's plans and shade diagrams appear to have attempted to overlay our DA approved plans, however it is apparent our eastern windows have been omitted from their drawings. It is concerning other building elements may have also been inaccurately shown. Please see mark up below showing approx. location of our DA approved windows / glazing locations on the Eastern side.

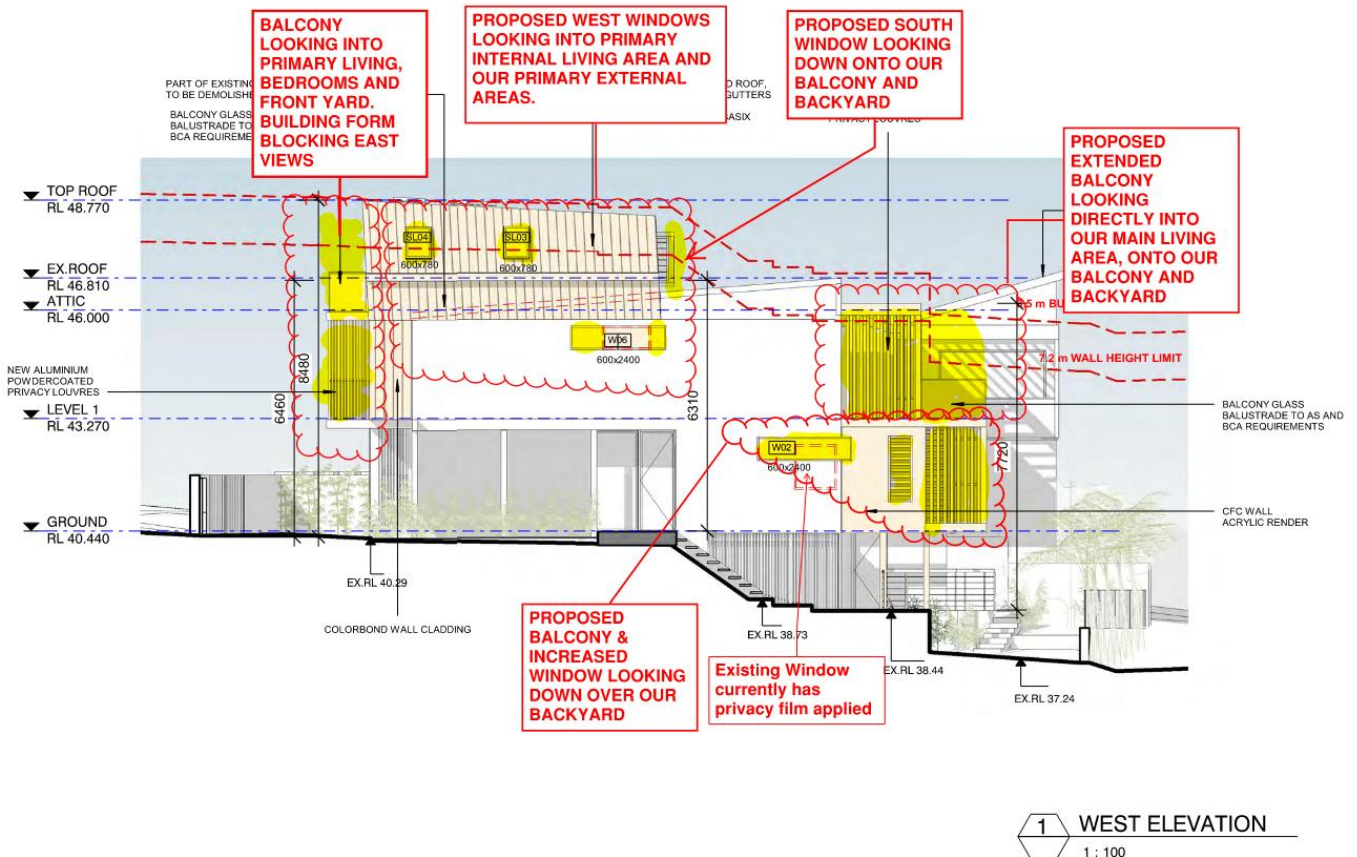


There will be a **great loss of amenity** to our primary livings areas as a direct impact from the proposed development.

Based on the shade diagram provided, it is apparent there would be a **significant reduction to the level of solar access** to our windows / glazing, reducing to under four hours of solar access that is required to be maintained for a north-south building orientation from such a proposed development.

There will be a significant **loss of our privacy** due to the proposed development's windows and balconies directly over-looking and looking into our primary living areas, bedrooms, and primary external areas.

Please see mark up of the Proposed Western Elevation below.



There will be a loss of amenity to our internal and external living areas due to the projection of the proposed dwelling's built form to the rear and front boundaries and addition of a third-storey. The proposed new and extended balconies to the South would block the sky and feeling of any open space from our backyard and balcony and main bedroom. Similarly the proposed balconies at the North would create the same hemmed in feeling when in our front yard.

The proposed and overwhelming third level would not only restrict solar access, but would impact our window views to the East.

Proposals

In consideration to the existing built form already far exceeding the planning controls and what would already be considered an over-development, a far less impact would be for the applicant to consider re-designing the existing internal floor plate to accommodate a better living solution within the current building envelope. Should additional area be needed, excavation to the lower ground level would be less impact to the streetscape and neighbouring properties. Any updated design should remain consistent with the surrounding dwellings and minimise loss of amenity to neighbouring properties.

Conclusion

We request Council refuse the proposed application.

Yours sincerely,

Kevin Reed