
Sent: 18/01/2019 4:19:14 PM
Subject: DA2018/1932-Objection Notice - new dwelling house proposal at 42 Surf Road, NORTH CURL CURL NSW 2099
Attachments: Submission from Family Breen of 44 Surf Road, North Curl Curl.pdf;

Attention: Maxwell Duncan

Attached you will find an Objection Notice from Family Breen of H/N 44 Surf Road, North Curl Curl concerning the above subject matter.

Regards,

Momcilo (Momo) Romic

*BTP (UNSW), MEM (UNSW)
NSW Builder Licence No. 252856C*

Development Consultant



M 0404 841 933

E momcilo@romicplanning.com

W www.romicplanning.com

Romic Planning encourages sustainability. Please consider the environment before printing this email.

The information contained in this email and any files transmitted with it are commercial in confidence and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please promptly notify the sender by reply email and then delete the email and destroy any printed copy. Further, if you have received this email in error, you must not disclose or use the information contained therein for any purpose whatsoever. Momcilo Romic will assume no responsibility for the accuracy, adequacy, and integrity of the files, and recommends that the files be thoroughly screened for viruses prior to installation.

Northern Beaches Council
PO Box 82
Manly NSW 1655

18 January 2019

Your reference no.:

DA2018/1932

Dear Sir/Madam,

Re: Objection Notice - new dwelling house proposal at 42 Surf Road NORTH CURL CURL NSW 2099

Reference is made to the above development proposal.

I have been engaged by the owner (Family Breen) of H/N 44 Surf Road, North Curl Curl to act on their behalf.

Firstly, my client's do not object in principal to the construction of a new dwelling house on the subject land.

My client's do not believe the architectural design and rhythm of the new dwelling proposed on the site is contextually responsive.

The proposal does not consider the amenity of their property located to the southern common boundary at H/N 44 Surf Road, North Curl Curl.

My client's hereby object to the proposed new dwelling house proposal on the following amenity grounds as they believe the current design will affect their level of enjoyment.

The following contentions are raised.

Contention 1- non-compliance with Clause D6 – Access to sunlight of the DCP

The proposal will result in additional overshadowing of the rear private open space area which faces north.

The existing rear private open space area is constrained due to its orientation and further shadowing should not be cumulative.

The existing enjoyment of solar access and penetration should not be compromised by the new dwelling for the 9am and 12 noon periods.

The proposal will result in additional overshadowing of the front principal private open space areas which faces north which is enjoyed by my clients at the ground and first floor.

These two areas are their principal private open space areas most frequently utilised as they benefit from ocean winds and an attractive open space outlook to the east.

These 2 areas have become the most frequented and utilised areas in the household which is primarily due to limited solar access to the rear private open space area and the enclosed and private nature of the front yard as a courtyard retreat.

The development proposal will compromise this current enjoyment of solar access and penetration at 9am and 12noon at the ground level terrace and first floor balcony which is a tragedy from a planning outcome.

From an architectural point of view, it is recommended:

- The proposal be downsized in height,
- The floor plates are downsized, and the geometry of the floor plates be revisited,
- The building should be better balanced and less top heavy and incorporate a deeper bottom floor which can be cut into the property.
- Greater side setbacks are incorporated.



Photos of the 2 areas frequently utilised at the ground level and first floor and screened front open space area.



Photo of the rear private open space area which is constrained.

Contention 2- non-compliance with Clause D8 - Privacy of the DCP

The proposal will result in unacceptable privacy impacts from the top most floor plates of the new dwelling house and balcony areas.

This will intern create overlooking into my client's front two principal private open space areas at the ground and first floor and affects the enjoyment of their land.

It is recommended that Council consider the following design changes to the dwelling house:

- Removal and deletion of unnecessary glazing/fenestration to the top most floor plates,
- Increased window sills within direct lines of vision,
- Reduce the width of the wrap around balcony or deletion of balconies. Alternatively, they be redesigned as features and not be directly usable,
- Provide fixed screening devices to all side elevations of balconies (as provided on similar neighbouring properties), and
- Other barriers and measures to reduce overlooking into my client's property that have been applied for neighbouring properties.



Photo of an appropriate privacy screen at H/N 46 Surf Road North, Curl Curl.

Ongoing consultation

Prior to any favourable decision made by Council, my client's request that a full and proper shadow assessment plans are provided along with the DWG CAD drawings for our perusal.

The drawings should also depict shadow wall crawling diagrams i.e. vertical shadow diagrams over my client's private open space areas.

The current design concept is not considered to be in the public interest as the proposal affects the amenity level and enjoyment of land of my client's land.

Council officers are invited to attend the site and carryout an inspection at a mutually convenient time.



Should Council require further information, please do not hesitate to contact the Applicant.

Regards,

Momcilo (Momo) Romic

BTP (UNSW), MEM (UNSW)

NSW Builder Licence No. 252856C

0404 841 933

momcilo@romicplanning.com