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**Sent:** 10/02/2021 4:39:31 PM  
**Subject:** DA 2021/0006  
**Attachments:** Submission - Spitzer - 8 Jamieson Parade, Collaroy.pdf;

Dear Anne-Marie,

Please find attached our submission for our neighbours DA 2021/0006 at 10 Jamieson Parade, Collaroy. This details the impacts of the proposed development on our home.

Thank you.

Kind regards,

Sara & Andrew Spitzer

10 February 2021

The Chief Executive Officer  
Northern Beaches Council  
Attention: Anne-Marie Young

## **SUBMISSION TO DA 2021/0006**

### **Impacts at 8 Jamieson Parade, Collaroy from the proposed redevelopment of 10 Jamieson Parade, Collaroy.**

BBF Town Planners are instructed by Sara and Andrew Spitzer, the owners of 8 Jamieson Parade, Collaroy to make a submission on their behalf in relation to the proposed development.

DA2021/0006 at No. 10 Jamieson Parade, proposes the redevelopment of the site for a substantial new house and pool that would be adjacent to valued north aspect of my client's home, including the parents retreat (upper level), living rooms (ground level) and front balconies (both levels).

I have inspected the subject site at No. 10 Jamieson Parade, Collaroy from the street and my clients' land. I have also examined the relevant documents, plans and reports including the Statement of Environmental Effects (SEE) prepared in support of the DA.

The proposed development would negatively impact upon the residential amenity enjoyed on their land. The adverse impacts include view sharing, solar access, visual impacts. My assessment finds that these impacts arise from planning control exceedances that are insufficiently justified by the DA on an unconstrained land parcel. Hence, in its current form, in my opinion the application is not worthy of Council's approval.

## **1 Characteristics of the location and my client's property at 8 Jamieson Parade, Collaroy**

My client's property at 8 Jamieson Parade is adjacent to the south of the subject site. The site is rectangular in shape and has an area of approx. 660m<sup>2</sup> (source: Six Maps).

The site accommodates a detached dwelling house and is located on the western side of Jamieson Pde.

The locality is characterised by land that slopes moderately; allotments are of regular shape and generous proportions; unconstrained by environmental affectations, for example, allotment area/shape, topography bushfire, flooding.

The local area is characterised by dwelling houses within generous landscaped settings characteristic of the R2 Low Density Residential zone applicable to the location.

## **2 Submissions**

### **2.1 Key Concern - Views**

Figure 3 below depicts the view currently enjoyed from the north east facing side window of the main bedroom within the upper level of number 8 Jamieson Parade. The view is from the parents retreat/main bedroom and includes the ocean, horizon, district, and tree canopies. It includes land and water interface and is valued by the landowners for the amenity it provides. It is anticipated that the view from this window will be severely impacted by the proposed exceedances of the front setback, side boundary envelope, wall height, and building height controls. A proposal that was compliant with these controls would be unable to be positioned in this location upon the site, and therefore, would not result in such a view impact.

Furthermore, the proposal relies on exceedances to various planning controls (including a clause 4.6 exception to building height) to gain improved district, ocean, and coastal views, whilst at the same time resulting in a potentially significant corresponding 'view loss' to my client's property.

In order to accurately assess the view sharing impact my clients request the direction of building profiles to assess the extent of the impact. Furthermore, that opportunity be provided to make further submissions following the installation of these profiles.

As it stands, in my opinion this aspect of the proposal is insufficiently justified by the proposal and fails to satisfy Part D7 of the DCP 'View Sharing'. As such this forms a reason why the DA is unacceptable in its current form.

### **2.2 Key Concern – Visual impact**

The proposed dwelling house design would result in adverse visual impacts when viewed from indoor and outdoor living spaces along the northern side and north eastern corner (balcony) of 8 Jamieson Pde. The proposed dwelling house design would also negatively impact upon the streetscape character.

The proposed dwelling house is characterised by a 3-storey monolithic form. It incorporates large areas of walls without articulation, long lengths of side walls without breaks, or architectural treatments such as varied materials, modulation etc. The upper level does not inset from the side boundaries. The building design does not step or recess its levels (as evident in Section A-A of the architectural plans) in response to changes in the level of the land. The design therefore makes insufficient attempt to address the provisions of the DCPs building bulk objectives.

The proposed results in an excessive height, mass, and scale that is not characteristic of the predominant form and landscape setting of dwelling houses in the local area / visual catchment of the property.

The proposed building is positioned too close to the property's street frontage with large, roofed balconies contributing to the bulk and scale of the design that extends into the front setback. Not only does this mean that the large bulk of the building projects close to the street front, but it also results in a reduced landscaped area of insufficient proportions to provide a landscape setting that is characteristic of the local area and streetscape.

The approval of such a DA has the potential to influence the expectations of other landholders and therefore establish an undesirable precedent for future development within the local area. The design has 'more work to do' in order to be a 'good neighbour' as established by the objectives of the DCP (Part A.5).

### 2.3 Key Concern - Shadowing

Increased shadowing will result in the afternoon period onto north facing side windows initially, and, as the afternoon progresses, onto the north east orientated front terraces.

In the circumstances, Part D6 of the DCP 'Solar Access' and & Part B3 Side Boundary Envelope provide relevant planning controls for consideration of the design's shadowing impacts.

The proposal involves a significantly non-compliant upper level (as illustrated within Figure 1 below) that would be adjacent to several valued north facing rooms and spaces, including the parents retreat/main bedroom, living room, and front balconies within my client's property.

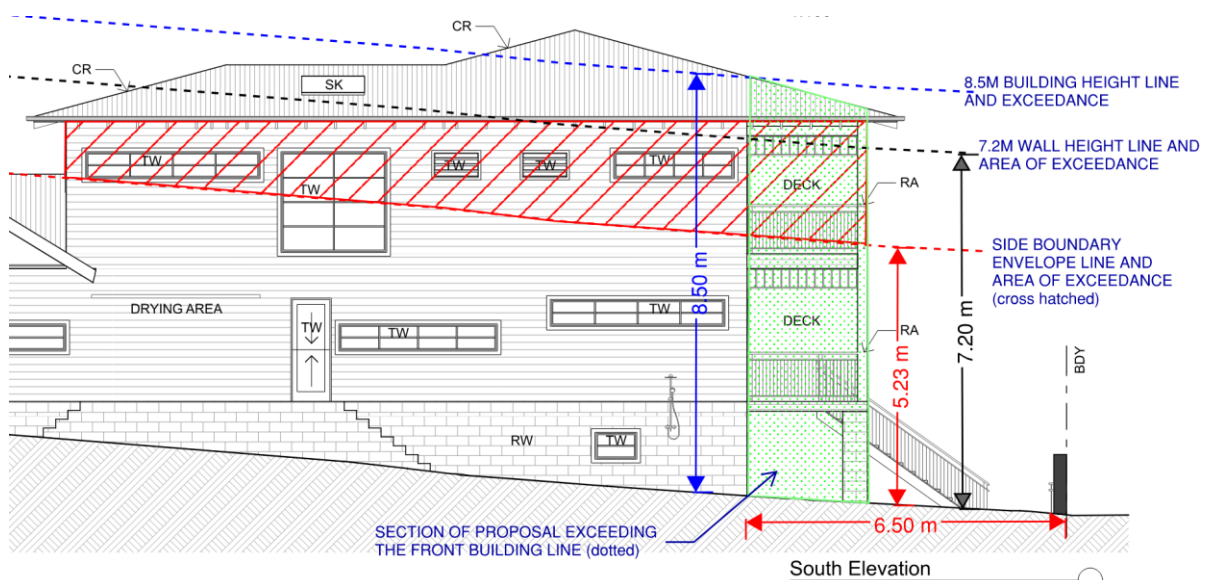
Furthermore, solar panels are installed along the north facing section of roof of my client's property. The side boundary envelope and wall height exceedances are adjacent to this area. Due to their non-compliance, additional shadow will be cast which will negatively impact upon the solar panels function during the midwinter period. A compliant design would have a reduced impact.

The proposal also exceeds the height of buildings development standard which contributes to the proposed height of the southern façade. In this regard objective 4.3(b) of the LEP states:

*(b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*

The proposal, by virtue of its height, does not minimise its impact in assessing the proposed visual impact, view sharing, or solar access outcomes.

A design that was compliant with the above referenced controls would have a reduced solar impact, therefore, in my opinion this exceedance is insufficiently justified by the proposal and forms a reason why the DA is unacceptable in its current form.



**Figure 1 - The southern elevation of the proposal and the location and extent of planning control exceedances (source: excerpt architectural plans)**

## **2.4 Key planning assessment considerations**

In my assessment of the proposal, the key concerns noted above arise due to the design's non-compliance with a range of key built form planning controls and assessment considerations. These are summarised as follows:

### **LEP**

- The objectives of the Height of Buildings development standard
- The third objective of the R2 Low density zone:

*To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

### **DCP**

- Part A.5 Objectives
- Part B1 Wall height
- Part B3 Side boundary envelope
- Part B7 Front setback
- Part D6 Solar access
- Part D7 View sharing
- Part D9 Building bulk

## **3 Conclusion**

For the reasons outlined in this submission the proposed development does not comply with various numerical planning controls nor satisfy the objectives of those controls.

The proposed development would be adjacent to sensitive locations within my clients' property and result in potentially significant adverse amenity impacts on these highly valued areas.

There are insufficient circumstances and design merits of the proposal to justify the character and extent of control exceedances.

The DA has insufficiently justified the proposed design against the prevailing environmental planning and assessment considerations which include the reasonable application of the built form planning controls on and an unconstrained site in a locality characterised by low density, landscaped settings.

For the reasons herein the proposal is assessed as unacceptable in its current form and not worthy of Council's approval.

Yours sincerely,



Michael Haynes

**Director - BBF Town Planners**



**Figure 2 – aerial image of the subject site and 8 Jamieson Pde. The sites are of generous proportions and regular shape / pattern (source: Northern Beaches Council)**





**Figure 3 - view currently enjoyed from the north facing side window of the main bedroom within the upper level parents retreat**



**Figure 4 - view currently enjoyed from the north facing side window of the main bedroom within the upper level parents retreat – taken on a clear day**