

DA application DA2022/0947

To whom it may concern,

We, the residents of 5 Richard Rd, Scotland Island, ask that the Development Department of Northern Beaches Council to approve our application for the extension of a shared jetty with No 7 and the construction of a boat shed and skid ramp on No5.

I note the letter dated 15th August 2022 from Outlook Planning for and on behalf of the adjoining property No 3 Richard Rd, requesting council not to approve both the boat shed and skid ramp.

We have designed the boat shed and skid ramp with our architect in accordance with what is permitted by Northern Beaches Council. We have provided all the necessary reports from Fisheries and the Maritime Services, both of which have been approved.

The most recent approval and construction for a larger boat shed and slipway was 25 Richard Rd, which is only 10 properties away from us.

Re : No 3's Objection Letter

Point 2.1 Site Description provided by No 3, written, To the South East of No 5 known as No 3 has its own boat shed and jetty.

The report omits to state that No 3 have a skid ramp which runs from the front of their boat shed alongside the public beach.

They also have erected a solid and separate open cabana on the boundary with us No 5 without consultation or approval.

Point 3.2 Foreshore Building Line and 3.4 design

Great consideration was given into the design providing access to the general public, environmental impact and the foreshore development. We have decreased the design from 6 metres to 5.4 metres from the allowed size, not as they state, not complying with the size restrictions.

We find it hard to comprehend that they have commented on our proposed boat shed plan which will be for the use of dinner parties and not for the purpose of marine activity.

They make a comment that boat sheds are for the purpose of boating needs, but the owners of No 3 lifted and have replaced the boat shed roof to accommodate loft accommodation, installed a toilet, kitchenette, a fireplace and have an easterly facing window as well as side and front double opening doors.

John Marshall, the applicant is employed as an electrical engineer by Lovett Bay Boat Shed and requires a work space/boat shed for his work and boating needs. We would also use the skid ramp for boat maintenance and storage of a small boat.

They comment in relation to the skid ramp being impractical due to water levels. The owners of No 3 raised their boat shed footings a few years ago due to the rising high tides so the water wouldn't lap into their boat shed.

Please note the photo they provided, showing the water level is at our waterfront stone wall and this is only at mid tide so the skid ramp will be functional.

The skid ramp we have designed is at no threat to the community and falls in line with No 3 and No 9's skid ramps.

In relation to their loss of sunset view, the photo they provided is a winter sunset with the sun setting behind the southside of the Island so is not visible from No 3 or No 5. The summer sun which is higher in the sky sets to the south over Church Point and McCarrs Creek which will be visible from No 3 as it will be in front of our designed boat shed. We took this into consideration making the boat shed smaller from 6 metres to 5.4 metres.

In relation to legal right to a view. There is no right to view in English Law, restricting the ability of other people developing on their land. This dates back to the 1610 Alfred case.

We ask the council to approve our application of the boat shed and skid ramp as it is compliant and as mentioned has been approved by Fisheries and Maritime.

We have carefully designed it as close to the boundary of us at No 5 and No 7 so not to impact No 3 and decreased its size.

We look forward to hearing from you.

Melanie and John Marshall.