
Sent: 14/12/2020 4:59:18 PM
Subject: RE: DA 2020/1152 15 Dress Circle Road Avalon Beach
Attachments: Tory DA submission.pdf;

Hi Mr Duncan,

As per Mr Tory's email below, we have had several discussions regarding modifications to this DA in an effort to limit the impact this will have on the quiet enjoyment of our neighbouring property.

Unfortunately we have been unable to reach a satisfactory compromise so please see attached our submission outlining our objections. We are hopeful that Council will consider our input and work with us toward a favourable outcome for all parties.

Regards,

Roland McAdam

17 Dress Circle RD, Avalon

-----Original Message-----

From: david

Sent: Tuesday, 13 October 2020 8:50 AM

To: Council Mailbox

Cc: avalonslim@gmail.com

Subject: DA 2020/1152 15 Dress Circle Road Avalon Beach

Hi Max,

Please find correction to neighbours street number in email sent earlier this morning.

Regards,

David Tory.

Attn: Maxwell Duncan:

As previously discussed on the telephone, our neighbours at 17 Dress Circle Road Christine Camp and Roland McAdam have expressed two concerns regarding firstly the scale impact of the north western corner of the proposal, and secondly the view loss in the north eastern sector of the view from their living room window.

We are currently looking at ways to ameliorate these concerns and will be discussing various options with Chris and Roland in the coming week.

Whilst the notification period ends tomorrow, would you please wait a little extra time for the conclusion of deliberations between our households.

Regards,

David and Wendy Tory

17 Dress Circle Rd,
Avalon 2107

Northern Beaches Council Development Applications

Cc: Mr Maxwell Duncan

December 14th, 2020

RE: OBJECTION TO PROPOSED DEVELOPMENT: 15 Dress Circle Road, Avalon DA 2020 / 1152

To whom it may concern,

We wish to lodge an objection to the scale of the proposed building and proximity to our residence, on the grounds that it will inhibit our views, interrupt breezes and airflow to our ground floor areas and have a negative impact on the quiet enjoyment of our property.

Background

Our neighbour, Mr David Tory is both the property owner and architect of this project. Mr Tory asked to meet with us on September 26th, 2020 (three days after the original DA was lodged) to outline his proposed development. At the conclusion of his presentation, we expressed concerns regarding the imposing scale of the north western corner of the building and the proximity to our residence.

Following some discussion, Mr Tory agreed it would be beneficial to erect a height pole so that we could all better understand the scale of the proposal. He also acknowledged and respected our concerns and said he would investigate options to offset the impact of the development from our perspective.

Nine weeks later on November 26th, 2020 we met again, and Mr Tory outlined the revision he had made, in which the north west corner had been remodelled and a small section of the roof line lowered. Mr Tory said the changes had improved the property from an architectural perspective and that he was much happier with the revised design.

However, despite the remodelling, the distance of the building from our border – one of our major concerns - had been amended by only 35 cm which was far less than we had expected. We expressed our disappointment that whilst the alterations had somewhat improved the imposing nature of the building and enhanced the architecture, they did not allay our concerns.

Mr Tory said that he was not prepared to compromise further and suggested that we should lodge our objections with the Council. It seems that we now have no option but to do that in the hope of your third-party intervention.

As of the date of this submission there has been no effort to erect a height pole.

Objection

Our concern is specifically with the north western corner (the corner nearest to our residence) to the extent that the building is large and imposing and extends well beyond the front of our property.

The front wall of our property structure was formerly the notional building line for the street and the proposed development protrudes some four metres forward of that and is around four metres high at that point. This section of the western wall nearest our residence was originally set back the required 1.0 metre however Mr Tory's concession was to set this a further 35 cm back from the property line so that is now 1.35 metres. This combination of height and proximity creates a daunting structure that looms large above our property and impinges on the enjoyment of our space.

Solution

We have no objection to the proposal as a whole and appreciate Mr Tory's effort to outline the plans with us. We request the north western corner be modified to provide less of a visual and physical intrusion into our enjoyment. We request the north western corner of the development be moved 2.0 metres to the east along with 2.0 metres of the western wall behind that point.

The floor space of the proposed structure is approx. 156 square metres, and we are requesting a reduction of 4.0 square metres or 2.56% which, in the hands of an experienced architect like Mr Tory, could be easily achieved without compromising the development.

This would soften the façade and decrease the imposing presence of the structure from our perspective; it would allow for some views to remain; it would permit airflow to the lower levels of our property and would also create an additional garden area to allow for plantings to further diminish the visual impact.

Summary

In the Environmental Impact section of the submission under 'View Sharing' and the potential impact the structure would have on our property (# 17), Mr Tory states *"(the structure) does not interfere with any of those views"*. This is incorrect.

Further, under the section headed 'The likely Impacts of the Development', Mr Tory states *"There are no adverse environmental, social or economic impacts created by the proposal."* This is also incorrect for the reasons outlined previously.

In the 'Conclusion', Mr Tory states *"no adverse impacts on the environment or amenity of the locality. Such an outcome is considered to be in the public interest. There are no matters of the public interest that would warrant refusal of the proposal."* We contend this is not the case.

We request Council give consideration to our submission in the hope that a workable compromise can be found that can allow the development to proceed, whilst limiting the adverse impact on our property and enjoyment thereof.

Regards,

Roland McAdam and Christine Camp