
From: DYPXCPWEB@northernbeaches.nsw.gov.au
Sent: 24/01/2023 4:30:31 PM
To: DA Submission Mailbox
Subject: TRIMMED: Online Submission

24/01/2023

MR Anthony Meagher
126 Ocean ST
Woollahra NSW 2025

RE: DA2022/2275 - 103 Bynya Road PALM BEACH NSW 2108

To the Assessing Planner:

We, Tony and Fran Meagher, would like to lodge a submission objecting to aspects of this application. We are the owners of 101 Bynya Road which is the adjoining property on the southern side of 103 Bynya Road.

Our concerns focus on the view and sunlight effects of the proposed building on our north-eastern boundary side elevation and the preservation of views , vistas and sunlight which we currently enjoy from both inside and outside (from the front deck) of our property looking in a northerly direction towards Lion Island .Our objection raises questions concerning the equitable preservation of those views and the maximisation of our continuing access to them.

In particular our concerns in relation to the south-eastern elevation of the proposed building are directed to the privacy screen and brick wall below it, behind which is part of bedroom 3 on the proposed lower floor and the kitchen wall and terrace on the mid-floor above. See EH-6 and 14- DA.

It is difficult to understand and demonstrate the full impact of the proposed development, especially the eastern end of that south-eastern brick wall, without a little more information than is presently available to us..

The privacy screen, and the relevant part of the brick wall below it, extend for a length of 3.6m and run from a point which is in line with the north eastern (sea facing) corner of our house (as distinct from the corner of our deck) about 1 metre back from that corner. The view of a person sitting or standing in that position currently includes - in a northerly direction and towards the west-includes at eye level when standing uninterrupted views of Lion Island and the water surrounding it as well as neighbouring gumtrees in the foreground as well as the background sky. See EH-15 and 18- DA.

Focussing on that view, the proposed screen and wall is at a height of RL116.30 whereas the

RL of our deck and inside of the living area of the house is 111.94, a height difference from the level of that area and deck of 4.36m. In fact the proposed height of the privacy wall exceeds the pitch point of our existing roof line (RL115.31) by a metre. Of the height difference at our deck level 1.06m is due to the brick wall and 3.3m to the privacy screen. In summary, there is facing our house and boundary and running in a north easterly direction for a distance of 3.6m a wall and screen which is 4.6m higher than the level of our existing main living area and deck.

Although allowance has to be made for the height of a person standing or sitting in that corner of the house or deck, the distance of the wall from the deck and the angle of the wall away from the line of our house, as far as we can tell from the drawings and information provided on the Council's website, this part of the proposed building envelope will block out our existing views of Lion Island and the water surrounding it as well as our winter sun..

In this latter regard we understand (from our architect) that the shadow diagrams accompanying the DA may have been prepared using incorrect sun angles which do not reflect and show the correct azimuth and sun height at the winter solstice.

We would be assisted in our endeavours to understand more clearly the effect of the proposed development if we and our architect were given access to more information and analysis, including: a 3D model of the proposed development which we understand has been prepared, especially if that model shows the side boundary building envelope, the building height compliance and the position of the building relative to our main living area and deck ; at least a drawing showing the south eastern side boundary building envelope; drawings showing the distances of the privacy screen and wall from our boundary including over the 3.6m distance with which we are concerned and the position and height of those structures relative to our deck and living area; any revised shadow diagrams, at least in relation to 21 June (cf the shadows for our existing property as shown in EH-18-DA and those shown in the shadow diagrams submitted with our recent DA.

We only had the opportunity to consider the proposed plans with our architect a few days ago. We then spoke to our neighbour and wrote requesting further information of the kind described above. We expect that such information or explanations directed to our concerns will be provided. We will then address that information in a further submission to the Council.

Please confirm receipt of this submission.

Yours faithfully

Tony and Fran Meagher
126 Ocean Street
Woollahra 2025