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The General Manager

Northern Beaches Council

Email; Council@northernbeaches.nsw.gov.au

ATTN: Gareth David

DEVELOPMENT APPLICATION 2021/0900

40 SUNRISE ROAD PALM BEACH

Dear Sir,

I am again writing to you on behalf of Mr and Mrs Strang, the owners and residents of the adjacent property at 38 Sunrise Rd Palm Beach following the submission of amended plans by the applicant.

As you are aware, the original proposal, primarily due to its excessive height, lack of meaningful setbacks and the insensitive location of the swimming pool resulted in significant objection to the proposal from my clients.

Whilst it is acknowledged that the applicant has made some minor amendments to the proposal, the fundamental concerns over the building bulk and the juxtaposition of the building bulk and the principle living areas of 38 Sunrise Rd remain current.

Firstly, I note that the substantial upper level terrace has been reduced in its extent and the plans inscribed to the effect that the former northerly extension of the deck will be a non-trafficable area. This is a welcome amendment to the proposal as it removes much of the potential overlooking impacts that would occur should this area be used has a deck. There remains however, a concern over the upper-level balcony and the potential privacy impacts from its use and in this respect, we request the provision of planter boxes with vegetation a minimum of 1.4 metres in height above the finished floor level along the eastern periphery of the upper level deck.

The original plans submitted for the proposal were strongly objected to as the easternmost wall of the proposal, due to its height and proximity to the boundary, imposed an unreasonable sense of enclosure on the living areas of number 38. The amended plans have made a token attempt to alleviate

this concern by partially increasing the setback to the eastern boundary however this is only marginally effective, and this set back should be increased for a minimum of the overall length of the dwelling and southern outdoor area of 38 Sunrise Road to reduce the overall feeling of a sense of enclosure as a likely consequence of the design as proposed.

I note the proposed retaining wall between the proposed dwelling and the eastern most boundary is being put in place to achieve light and ventilation for some below ground bedrooms. Although there is no fundamental objection do a structurally sound retaining wall, it is requested that this wall be no higher than 300 millimetres above the finished ground level at any point.

In terms of plant and equipment, it is requested that no air conditioning plant or similar be installed along the eastern most face of the site to preserve acoustic amenity and that the flue from the proposed fireplace be re-routed to prevent the migration of smoke/soot and the like onto my client's site.

Landscaping of the pool in the rear yard area is a very important consideration for both the applicant and my clients as the issue of privacy to and from the proposed pool is an important consideration. We would like to ensure that the proposed landscaping between the pool and my clients living areas is of sufficient height to overcome any potential privacy impacts but not of a height that would block views from my clients areas of principle open space.

Overall, the proposed amendments recognise the validity of the earlier submission made on behalf of my clients however the amendments do not resolve the entirety of the concerns and we request that council require a suitable juxtaposition between the two properties by reducing bulk of the proposal and preventing unreasonable overlooking from elevated trafficable areas.

Thank you once again for the opportunity to comment on the amended plans and more importantly, thank you for recognising the validity of the previously expressed concerns over the proposal and directing the applicant to address these fundamental failings.

LANCE DOYLE

REGISTERED PLANNER