

Submission

Janice Page

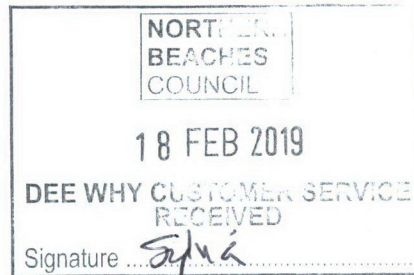
44 Robertson Road

NORTH CURL CURL NSW 2099

Mob; 0419485566

17th February 2019

Dear Sir/Madam

**NOTICE OF PROPOSED DEVELOPMENT**

Application No. DA2019/0076
Address: Lot 2 DP 1206790 1 Pitt Road NORTH CURL CURL
Description: Demolition and construction of a dwelling house (submitted 01/02/2019)

Thank you for your correspondence in relation to DA 2019/0076 by Gremmo Homes Pty Ltd.

I note this is now the second Development Application lodged by the applicant, the initial development application, DA2018/1711, was withdrawn. Having reviewed the plans and associated documentation it has become apparent that the applicant has done very little to address the objections raised in response to DA2018/1711. Accordingly, the objections that I raised in my previous submission (dated 11 November 2018) remain. I will re-iterate these objections in this submission to ensure that they are recorded as my continued and further strong objection to the proposed development by the applicant Gremmo Homes Pty Ltd.

As with my previous submission, and having again looked at the submitted plans together with Statement of Environmental Effects my main concern is with the sheer size (visual bulk) of the proposed dwelling. This visual bulk is achieved because the proposed application does not comply with Council regulations. This is going to have a significant effect on adjoining properties, including mine with regard to sunlight, shading, view sharing and privacy (further set out below).

WALL HEIGHT; The objectives of the wall height limitations are to provide reasonable sharing of views to and from public and private properties and to minimize the impact of development on adjoining of nearby properties. Further, and in this case, most importantly is to ensure that the development responds to the natural topography of the land and to discourage excavation of the natural landform. The negligible reduction in wall height in this second submission has not addressed this issue. In particular, the overall height of the proposed development, particularly the two ceiling elevations at the front and rear of the property and the rear elevation (at 3 stories) is in excess of this limit. The slope of the land is gentle, not steep, and therefore is not suitable for a 3rd story at the rear (as set out in the Geotechnical Report, the slope is very gentle and only an average of approximately 4"). In order to include this 3rd story at the rear, significant excavation is required as part of this revised DA. According to



the Geotechnical report submitted, the proposed excavation is up to 3.2 metres which is significant and not at all in accordance with the natural topography. Indeed, it appears that the applicant is simply digging deeper into the natural terrain to ensure they can build the house as big as possible despite the natural topography of the block and the effect on the neighbouring properties. This is unreasonable given the building requirements. This will add significantly to the visual bulk of the building particularly when viewed from the downslope sides of the land. I submit that the inclusion of the proposed third floor at the rear of the development, significantly adds to the bulk and scale of the development. Further, it does not allow for reasonable sharing of views, it has a significant and detrimental impact on adjoining properties, (in regards to view sharing, shading and privacy) and it does not respond to the natural topography of the land. My submission is the same with regard to the two ceiling elevations in the proposed development.

WIDTH AND BUILDING ENVELOPE: The building does not comply with the side boundary envelope requirements. The applicants are seeking an exemption from this because of the narrow width of the block. This is no justification for development outside the envelope. There are a number of adjoining properties on similar sized blocks that have been recently developed that have complied with building envelope requirements. This includes my own property at 44 Robertson Road, North Curl Curl. I have been able to build a beautifully sized home within the specified envelope.

LENGTH The length of the proposed dwelling is also excessive, which means that the proposed dwelling does not comply with the 40% requirement for Landscaped Open Space. In addition, the rear setback of the proposed dwelling is considerably further back than any of the other properties along Pitt Road and is not in accordance with the objectives of the regulations to maintain the existing visual continuity and pattern of buildings and detracts from the privacy of the adjoining dwellings. Again, this adds to the visual bulk of the building (along with the excessive bulk of the proposed 3 stories at the rear of the development) and has a significant effect on the back yards of the adjoining properties on Robertson Road. Further visual bulk is also included in the development by the addition of the rear cabana.

In summary, my submission is that the visual bulk of the proposed dwelling is excessive and unreasonable and will dominate the area and adjoining properties. Not only is the proposed development outside of the building regulations, the sheer size of the proposed dwelling will result in significant loss of amenity to adjoining properties, including mine. The loss of amenity is:

Loss of sunlight – according to the shadow diagrams, there will be significant shadowing on the rear of my properties. Specifically, in regard to 42 Robertson Road, there is significant shadowing caused by 40 Robertson Road which will be further exacerbated by the sheer bulk of the proposed dwelling at 1 Pitt Road. In addition, I am concerned that the shadowing caused by the proposed development, as shown in the accompanying diagrams, will have an impact on my ability to generate solar energy as the shadows will cover my roofing panels at 44 Robertson Road. There is no feature of the topography of the block which would make it impractical to minimise shadowing, on the contrary, the gentle slope of the land supports this. A design which was in keeping with the topography and minimized the sheer bulk of the development would minimise the loss of sunlight for all the adjoining properties on Robertson Road as well as those on Pitt Road.

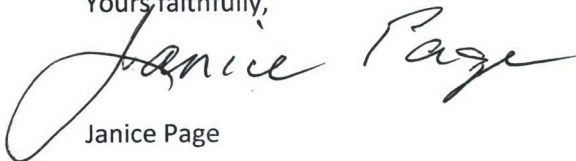
View Sharing - The sheer bulk of the proposed dwelling will not accommodate view sharing; indeed 42 Roberson Road will be denied any view whatsoever.

Privacy – The sheer bulk of the proposed development, particularly the large rear and open deck will significantly impact on the privacy of my adjoining properties and will allow for overlooking. This is further enhanced by the large the rear windows on the eastern façade that extend the entire height of the building.

According to Council's letter, assessment of this application involves a process of balancing legitimate concerns and the reasonable development rights of the applicant. It is evident from the application, that the proposed development is excessively large and will detract from the enjoyment and amenity of my adjoining properties. Furthermore, the proposed development is outside the regulations. This is unfair to the adjoining properties as the building rules are in place to provide for balancing the concerns and rights of all parties and residents should feel confident that Council will apply these rules consistently. If Council allows for the applicant to build outside the rules, this will set a precedent for any future developments.

It is my submission that the changes made by the applicant with this revised DA are so minimal that they are negligible. In essence there is no change from the previous application. This development is still too big and bulky and the sheer scale of this dwelling and will dominate the neighbouring properties and will result in significant detriment to them. A more thoughtful design with regards to scale and the natural topography should be considered as acceptable. It is also my submission should this DA be withdrawn or rejected (as is my submission) that the applicant, Gremmo Homes Pty Ltd, be required to address these concerns in any future DA and make significant design changes that are in accordance with regulations.

Yours faithfully,



Janice Page

cc. Michael Regan – Mayor – Northern Beaches Council, Curl Curl Ward
David Watson – Northern Beaches Council Curl Curl Ward
Natalie Warren – Northern Beaches Council Curl Curl Ward