
Sent: 21/11/2019 1:38:23 PM
Subject: FW: signed copy for Daniel Milliken Town planner-20 Fisher St Balgowlah Heights 2019/0877
Attachments: img444.pdf; img443.pdf;

Please register the attachments as one submission.

Thanks,

Dan

Daniel Milliken
Principal Planner
Development Assessment
t 02 9942 2474 m 0423 170 172
daniel.milliken@northernbeaches.nsw.gov.au
northernbeaches.nsw.gov.au



From: Wini St Clair <winiloo49@gmail.com>
Sent: Thursday, 21 November 2019 1:25 PM
To: records <manly@northernbeaches.nsw.gov.au>; Daniel Milliken <Daniel.Milliken@northernbeaches.nsw.gov.au>; Wini St Clair <winiloo49@gmail.com>
Subject: signed copy for Daniel Milliken Town planner-20 Fisher St Balgowlah Heights 2019/0877

20 fisher st Balgowlah Heights DA2019/0877

Daniel Milliken
Town Planner
Northern Beaches Council

Dear Daniel

1. Thank you for notification of changes to plan .

2. Please note the montage pictures are misleading as

A. None of the pictured trees exist between the boundary of 20 fisher and 13 Beatty St , with the exception of the gum tree on the boundary to Beatty Street .see Diagram 1.

The gum tree circled is a haven to birds and provides some privacy to our pool which is located 2 metres below the applicants proposed pool height .

We request this gum tree be conditioned to remain and the pool screen and side terrace screen be opaque glass as our pool sits 3 metres below their pool deck .See diagram 2

B.

The bulk and overlooking of the proposal appears to be reduced by the angle of presentation of the montage .See diagram 3.

We submit diagram 4 showing the bulk of the proposal compared to our approved addition from a Beatty street perspective face on .

Also note that every level of 20 fisher St adjoining us is a living area set 1 metre above our bedroom and living floors so overlooking us .

3. We have read the Appendix B clause 4.6 submission by Vaughan Milligan applying for an excess FSR of 37 m2 or 8.7 per cent more above the 388 m2 permissible .It is the excessive size and bulk of the building that is effecting our amenity as neighbours causing the solar and privacy issues .

We believe the following conditions have not been met

- precondition 2D pg 58 and precondition 3 pg 59 and the Environmental Planning and Assessment Act pg 61 .

In these conditions Milligan states adverse impacts on use or enjoyment of adjoining land have been minimised . We disagree .

Milligan states appropriate solar access , amenity and privacy will be maintained for adjoining properties . We disagree.

We believe our amenity, privacy and quiet enjoyment of our adjoining land will be significantly reduced by :

1. Location of a professional musicians room hard up against our boundary joining our only private open space with likely noise from music practices , student and potential band practices within 1.25 m of our boundary with a window facing us is unacceptable .

Any such room should be acoustically soundproofed with double glazed Windows not facing a neighbour .

A guests room or media room would be more considerate here , with the music room relocated to the front of the house away from neighbours rear garden and entertaining areas.

2. Further the Loss of sunlight to our small 4.58 m wide only private open space in our rear garden and loss of solar access to our only family / living room window has already been established .

Current shadow diagrams submitted by Bawtree Architects ,diagram 5 ,show

-between 12 and 3 pm nearly 2/3 of our only private open space becomes shadowed and the living room window sunlight is eliminated .

The DCP 3.4.1 states

-that alterations and additions must not A.eliminate more than 1/3 of existing sunlight accessing private open space of adjacent properties from 9 am to 3 pm on 21 June .

And DCP 3.4.1 states

B.the level of solar access enjoyed by neighbours through their living room windows must be maintained for a period of 4 hours from 9 am to 3 pm on 21 June .

The amended plans do not address solar access issues.

Professional shadow diagrams by a third party need to be submitted by the applicant to confirm if DCP conditions are met

3. It is unreasonable that an approx 45m² deck c.3.5 m wide by 13 m long coming off the kitchen / living area with 3 large windows floor to ceiling faces us just 5 m from the side boundary and 1 metre above our bedroom floor level ..

See diagram 6,7,8.

The applicant also has large rear decks to the rear on this level and the pool level below totalling over c.100 m² In comparison our entertaining deck is just 20 m² off our kitchen area .

Council guidance is that decks should face rear gardens not sideways due to privacy and overlooking of neighbours .

There is ample internal access in the proposal on that level to remove the deck .

We request this deck be deleted and living room windows be made highlight size .This would be in line with new highlight windows we have provided from our approved renovation facing 20 Fisher Street .

Further the solar access angle of the sun in winter seen in Diagram 5 shows it is the height and closeness of this deck ,or c.4 metre height of that level ,that appears to be causing the solar issues to our property .The proposed planter boxes cause more shadowing to us.

The application at 20 Fisher St Balgowlah Heights is unacceptable to us in its current form as it has adverse impacts on our use and enjoyment of our adjoining land at 13 Beatty St Balgowlah Heights due to solar access ,privacy and overdevelopment issues .

Yours sincerely

Paul and Wini Field

13 Beatty st

Balgowlah Heights

Wini Field

P. Field

21/11/19.



Please highlight & remove existing pool windows & deck from plan

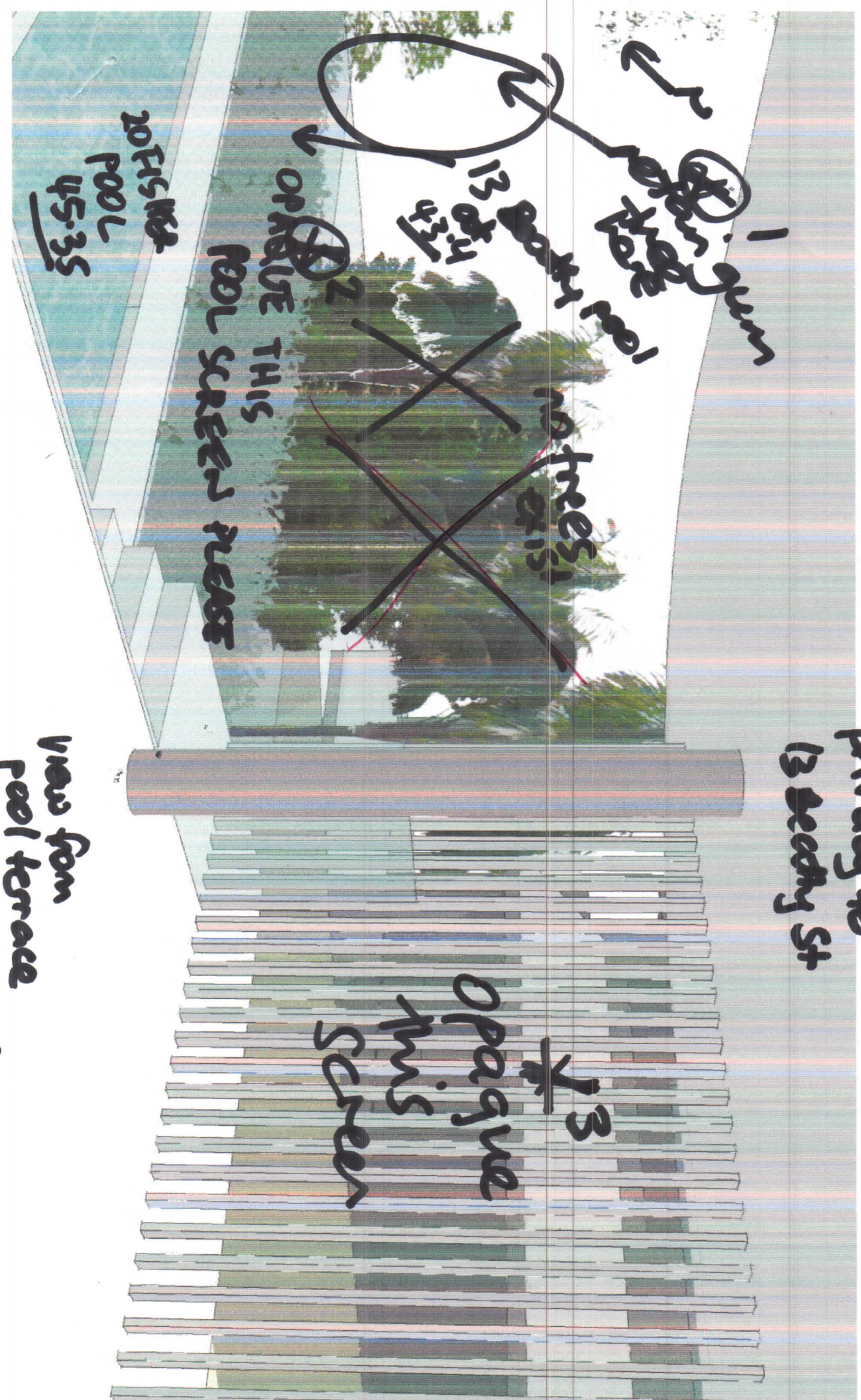
None of trees to be removed

Diagram 1

Notage by 20 Fish St applicants

Full for the year

Request to increase privacy to 13 Beatty St
Diagram 2



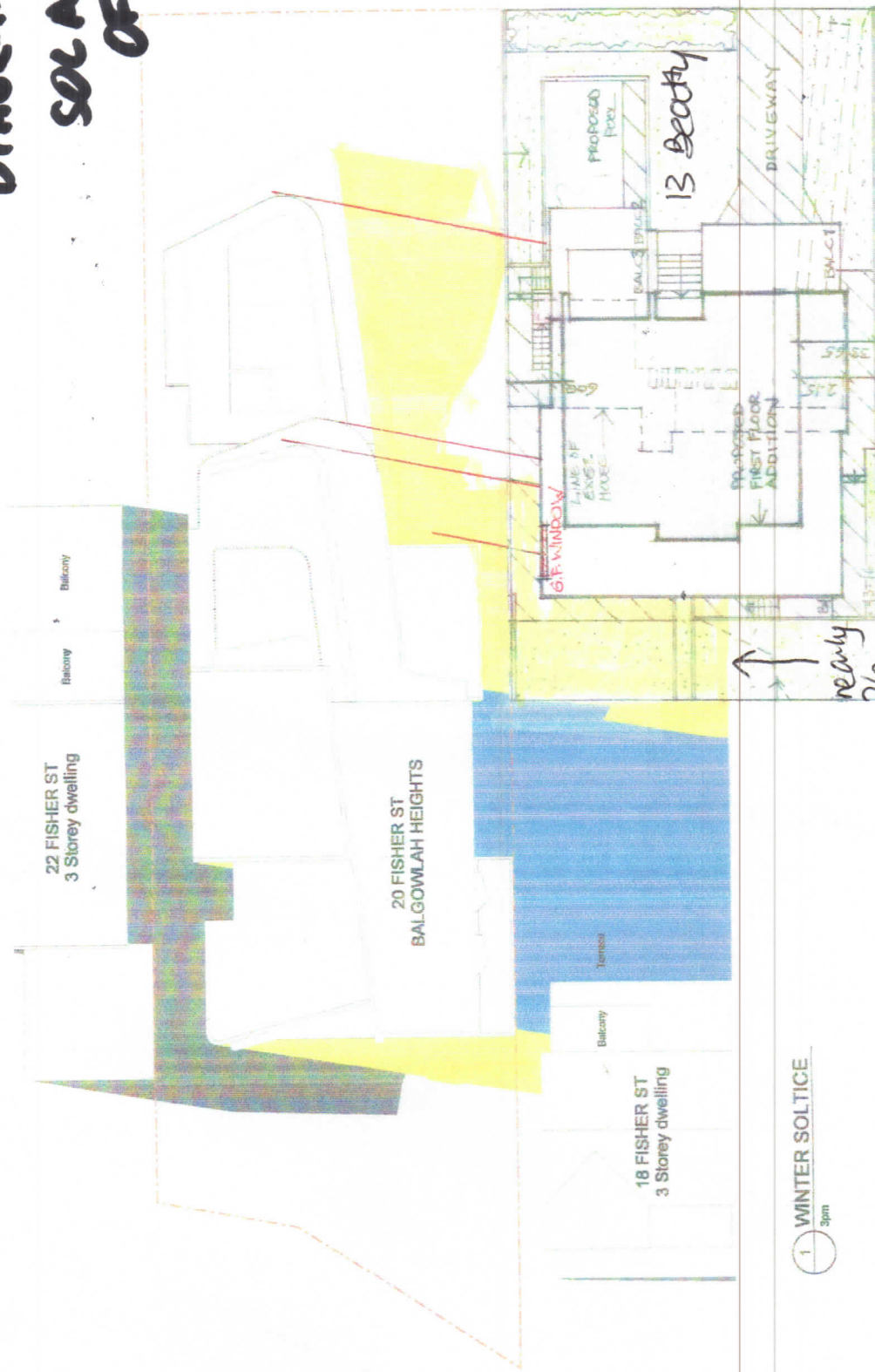
view from
pool terrace
10 ft 6 in St 46.37

DIAGRAMS

**Mortgage by
20 FISHES**



DIAGRAM 5
SOLAR IMPACT
OF 20 FISHER
ST ON
13 Beatty St
at 3pm
21 June.



1 WINTER SOLTICE 3pm

2/3 of near ground shadow by 3p



Time	Altitude	Azimuth
9.40am	16 deg.	N45E
12 noon	32 deg.	N
3.00pm	14 deg.	N43W



EXISTING SHADOWS
Neighbour's buildings only



EXISTING SHADOWS (Subject site)
Existing dwelling only



ADDITIONAL SHADOWS (Subject site)
Proposed dwelling only

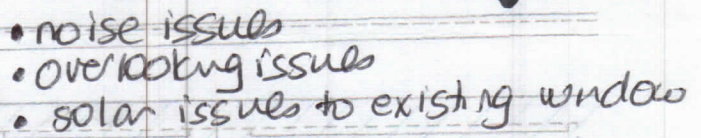
PN	15 01 94	Count	500
TITLE		DA ISSUE	
PROJECT DEVELOPMENT APPLICATION 20 Plinth Street, Inagomani DRAWN BY SHADOW DIAGRAM			
Bawtree Design Architects & Builders 100/100A Bawtree Avenue, Inagomani, 1470 Phone: 011 461 1000 Fax: 011 461 1001 Email: bawtree@bawtree.co.za			
This drawing is the property of Bawtree Design Architects & Builders and is to be used for the project and site only. It is to be used in accordance with the conditions of use set out in the contract documents. It is to be used for the project and site only. It is to be used for the project and site only. It is to be used for the project and site only.			
SHEET	0001	EXPIRY DATE	18/11/17
A3	1/100		

ADJUSTED TO
CORRECT SCALE

NON COMPLIANT
SHADOWING OF
REAR GARDEN +
FAMILY ROOM
WINDOW AT 13

13 Beatty St by 20 Fisher St proposed

to 2 m above
14.
16
to 2 m above
2000 ft



13 Beatty St
- 20 Fisher St level of dining/living
is set 1 metre above the floor
level of our highest level of
bedrooms so noise + overlooking
issue into bedrooms +
living areas on floor below





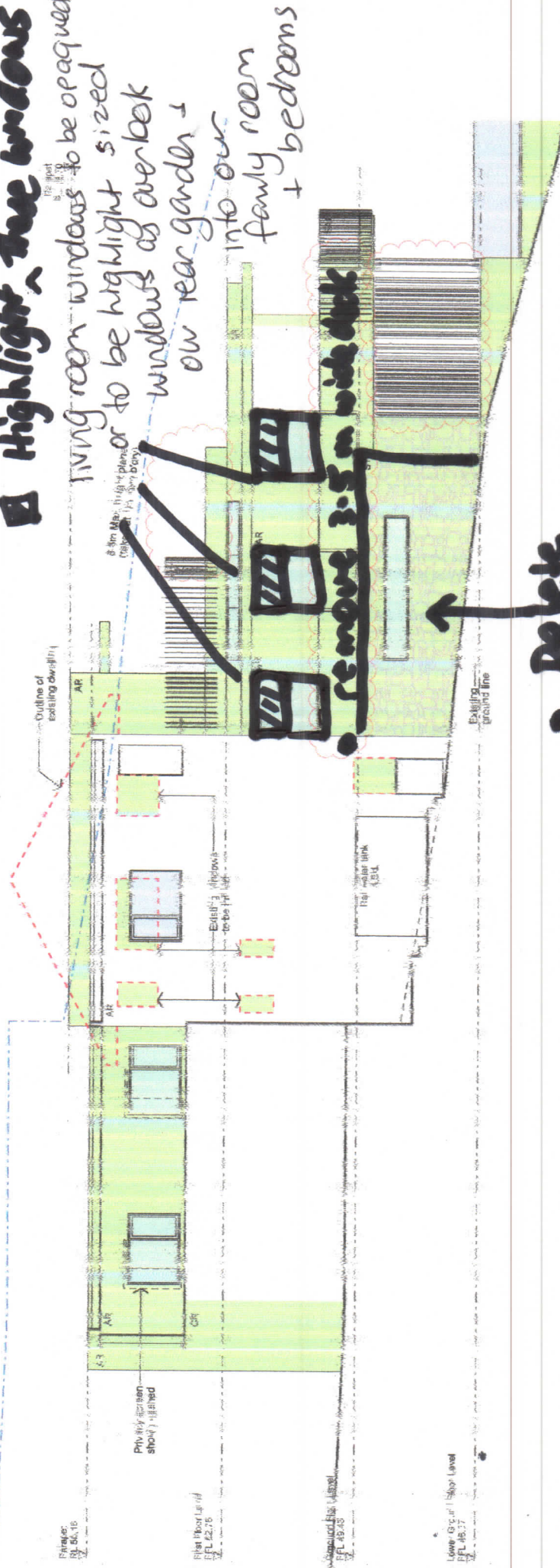
 Items to be demolished
 Existing walls
 New dwelling extension
 New terrace extension

DIAGRAM 7 DECK + WINDOWS

- Opaque or reduce size to size
- Highlight the windows



- Delete music room

- noise issue
- solar issue
- excan fsr of 37m² on site
- 10.25m from boundary



NO	DESCRIPTION	DATE
1	Existing	
2	Existing	
3	Existing	
4	Existing	
5	Existing	
6	Existing	
7	Existing	
8	Existing	
9	Existing	
10	Existing	
11	Existing	
12	Existing	
13	Existing	
14	Existing	
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98	Existing	
99	Existing	
100	Existing	

to 13 Beaty St
Only private open space

DAISSUE

DEVELOPER: 3 APPLICATION
 32 TOWER STREET, BANGOR
 202010
 ELEVATION: 8

Bawtree Design
 Architects & Planners
 100-102, 104-106, 108-110, 112-114, 116-118, 120-122, 124-126, 128-130, 132-134, 136-138, 140-142, 144-146, 148-150, 152-154, 156-158, 160-162, 164-166, 168-170, 172-174, 176-178, 180-182, 184-186, 188-190, 192-194, 196-198, 200-202, 204-206, 208-210, 212-214, 216-218, 220-222, 224-226, 228-230, 232-234, 236-238, 240-242, 244-246, 248-250, 252-254, 256-258, 260-262, 264-266, 268-270, 272-274, 276-278, 280-282, 284-286, 288-290, 292-294, 296-298, 300-302, 304-306, 308-310, 312-314, 316-318, 320-322, 324-326, 328-330, 332-334, 336-338, 340-342, 344-346, 348-350, 352-354, 356-358, 360-362, 364-366, 368-370, 372-374, 376-378, 380-382, 384-386, 388-390, 392-394, 396-398, 400-402, 404-406, 408-410, 412-414, 416-418, 420-422, 424-426, 428-430, 432-434, 436-438, 440-442, 444-446, 448-450, 452-454, 456-458, 460-462, 464-466, 468-470, 472-474, 476-478, 480-482, 484-486, 488-490, 492-494, 496-498, 500-502, 504-506, 508-510, 512-514, 516-518, 520-522, 524-526, 528-530, 532-534, 536-538, 540-542, 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