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Subject: Online Submission

09/03/2019

MR Peter Stempel
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RE: DA2019/0081 - 12 Boyle Street BALGOWLAH NSW 2093

Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: Benjamin Price

Re: DEVELOPMENT APPLICATION DA2019/0081
12 Boyle Street and 307 Sydney Road Balgowlah

We are the owners and occupiers of 14 Boyle Street, Balgowlah and as such are directly affected by the above proposal.

We are opposed to the proposed development and submit below our objections and comments regarding this application.

If possible we would like to have an opportunity to show you first hand some of our concerns. If you can spare some time for a visit, please contact us to arrange a time.

Regards,
Peter & Denise Stempel

OBJECTIONS AND COMMENTS

1. Dry Stone Wall

1.1 A dry stone wall is our rear boundary and is the subject of a heritage order because it forms the boundary to the Heritage property in question (no 307) . This fence represents considerable historic and personal value and we would like to be assured that it will not be modified or removed for the purpose of the development.

1.2 In response to a previous development application(DA64/2012) the Notice of Determination (260912 DA64/12) for that DA made the following statement regarding the dry stone wall forming the rear boundary to our property:

"The dry stone wall adjacent to part of the western boundary shall be retained and protected during all stages of construction.

Reason: The dry stone wall contributes to the heritage significance of the listed group of buildings."

1.3 This wall carries with it considerable historic significance and forms an important part of the early history of settlement in the Balgowlah.

1.4 The aesthetic value of the wall provides considerable enjoyment for many of the

surrounding residents.

1.5 Some local residents have relatives who were involved in the building of the wall prior to the First World War.

1.6 I would also like to note that the wall is strong and does not pose any danger to residents.

1.7 I would like to suggest that the Council impose strict requirements on the developer to ensure that wall is left untouched and protected from being damaged in any way during the building process.

2. Existing Sewage Line

2.1 Currently, a sewage line runs across the rear our block(14 Boyle), coming from 12 Boyle and continuing across 16 Boyle Street.

2.2 The Notification Site Plan seems to indicate that the existing sewer line will be covered by the new structure that will form part of the development on 12 Boyle Street.

2.3 Any changes to the location of the sewer line would affect us and I request clarification from Northern Beaches Council that the sewer does not contravene any state or local planning bylaws if the current configuration remains unchanged.

2.4 Please note that I have been unable to find any reference to the sewer line in the existing documentation submitted by the applicant.

3. Impact on local traffic movements and parking

3.1 The Traffic Report that was submitted as part of the development application did not address the real impact of this development on parking and traffic movements in Boyle Street.

3.2 Parking in Boyle Street

3.2.1 There are 5 Unit Blocks in Boyle Street totalling 72 units and 11 houses. This accounts for a considerable number of visitors and residents that have to find street parking on weekends or during the week.

3.2.2 There are 51(approx) parking spaces in Boyle Street. Most Weekdays and Saturdays approximately 95% of the available spaces are occupied. On Sunday, All Saints Anglican Church conducts three services(2 morning, 1 evening) which normally increases the parking space occupancy to 100%. There are also many midweek activities held at All Saints which add to the parking and traffic load during the day and at night.

3.2.3 Boyle Street is also used for parking by employees of local businesses, shoppers and cafe/restaurant customers. On a number of occasions our neighbour has had to park in our driveway whilst waiting for a parking space in Boyle Street.

3.3 Traffic Movements

3.3.1 Parking in Boyle Street has reduced the street to a single lane thoroughfare. In any one day on numerous occasions I observe one or two vehicles waiting at the top of Boyle Street till another vehicle(s) comes up the street from Lauderdale Avenue.

3.3.2 In an effort to obey the "No-uturn" sign on the corner of Boyle Street and Sydney Road, many vehicles drive down Boyle Street a short distance and then do a u-turn at the corner of Boyle Street and Bentley Street. This is a common occurrence on any day of the week and often causes some traffic congestion.

3.3.3 Boyle Street is also used to gain access to properties in Bentley Street and through access to Lauderdale Avenue. Bentley Street has many houses and three apartment blocks that add considerably to the overall amount of traffic in Boyle Street.

3.4 Clearly, Boyle Street is currently working at more than peak capacity for Parking and Traffic Flow and it will not be able to contain any increase in either of these activities forced on it by the proposed development.

4. Privacy

4.1 We are particularly concerned about how the development is going to impact our privacy on two sides of our property. We already have one unit block impacting our privacy on our northern boundary and the proposed development will mean that our only view from our house will be onto Boyle Street. If approved it would mean that we will be surrounded by 2 level structures on 3 of our 4 boundaries.

4.2 Our privacy will be seriously diminished as a result of this development and we consider this to be unacceptable.

4.3 We would also expect that all external lighting would be done with consideration of the impact of the lighting on neighbouring properties. For example, the use of down lights on external walkways and driveways.

5. Loss of view

5.1 We are currently able to enjoy views of Sydney Harbour and North Head from three locations on our property. They are the Kitchen, Sun Room and Backyard.

5.2 We derive considerable enjoyment from being able to observe the Manly Ferry, Yachts, and Ocean Liners moving about the harbour and out through the Heads. We are quite restricted on three sides of our block by buildings and the Harbour views give us a more open outlook from the Kitchen, Sun room and Backyard.

5.3 The development that is proposed in DA 0081/2019 will remove 100% of our view which we consider to be an unacceptable impact.

6. Loss of sunlight

6.1 The Shadows Diagram clearly indicates that we will lose considerable sunlight in the backyard, in the morning. This will impact on our use of this space and make it a much less pleasant place to be and enjoy. It will also make it more difficult to use our washing line effectively.

6.2 As the cottage exists now, it's close proximity to our boundary is already depriving us of some sunlight. We do not think it fair that this situation should be made any worse.

7. Protection of our property during construction

7.1 We are concerned that the amount of excavation that will be carried out on 12 Boyle Street could have detrimental effects on our house. The amount of excavation and associated activity could result in damage to our building structure, particularly in creating cracks in the wall(s).

7.2 The demolition of the existing dwelling house at 12 Boyle Street also poses a concern on our part. There is not much space between it and our house on 14 Boyle Street and any demolition will require great care on the part of those carrying out the demolition.

7.3 We would like the council to make every effort to ensure that the development does not damage our property in any way and that the work is carried out with the utmost care and concern for the environs.

7.4 We would also like to establish that any damage done to our property will be repaired at no cost to ourselves and as quickly as is reasonably possible.

8. General Comments

8.3 After reviewing this development application it is our belief that the scale of this proposal exceeds what is reasonable for the local environment and residents. The enjoyment of living in such pleasant surroundings will be seriously diminished for many local residents if this development is approved.

8.4 The Survey Plans submitted with the DA show a Car Port in the back corner of our property, which is incorrect. It should be noted that it is a fully functioning garage. If required we would ask that the council ensures that the developer is aware of this fact.

8.5 The Survey Plans did not show a fully functioning garden shed at the rear of the garage referred to in item 8.5. The shed sits on the rear boundary of 14 Boyle St and is constructed of

the same materials as the dry stone wall. It should be noted that one of the walls of the shed forms part of the dry stone wall referred to in item 1.1 of this document. If required we would ask that the council ensures that the developer is aware of this fact.

9. Conclusion

9.1 Based on the issues raised in this report we request that the DA be refused in its existing form.

9.2 If the DA is modified as a result of the objections in this report, or the objections of any other party, we respectfully request that we are informed on an ongoing basis and given the opportunity to investigate any modification, and make a response.