
Sent: 19/08/2019 7:38:29 PM

Subject: Objection submission - DA2018/1803 141 Fuller Street, Narrabeen

Dear Planning Officer,

I am writing in regards to the amended plans for application DA2018/1803 for [141 Fuller Street](#), Collaroy.

As the owners of No.139A Fuller Street, I am deeply concerned as the amended plans do not adequately address the initial concerns raised in the objection submission drafted by Boston Blyth Fleming on the 7 December, 2018.

Please find below our additional objections/comments in relation to the amended plans:

View Loss

The amended plans continue to significantly impact on the easterly ocean and horizon views from our property (No.139A Fuller Street), due to the addition of the top floor study area. Council attended site to undertake a view loss assessment where the view impacts were analysed in accordance with the four (4) step process outlined in the Planning Principle of the Land and Environment Court, namely *Tenacity Consulting Pty Ltd Vs Warringah Council (2004) NSWLEC 140*. I believe that the view loss assessment from our primary living spaces determined that the loss of ocean and horizon views, over the subject site, from both a standing and sitting position, was unreasonable. These amended plans do not address the view loss concerns.

It is recognised that the amended design has demonstrated very minor revisions to reduce the built form within the current view line, via the removal of the external balcony element and a very minor reduction of the western wall plane length. However the addition still does not facilitate a reasonable outcome in relation to view sharing. The amended design does not reduce the significant view loss impacts on our property (No139A Fuller Street).

I recommended removing the first floor study from application and repositioning this elsewhere within the building footprint to ensure view sharing is maintained though the existing view corridor in accordance with the Planning Principle of the Land and Environment Court.

Visual Privacy

Our initial submission made reference to the concerns of significant overlooking and privacy impacts for our property as a result of the excessive windows on the western elevation. The amended plans have made no attempt to address these overlooking and privacy concerns. The western elevation continues to demonstrate excessive amounts of windows and does not incorporate any design features, such as external privacy screens etc, to assist in minimising the privacy impact into our property. Therefore, the amended plans continue to show excessive overlooking and privacy impacts to the main living spaces of our home.

I recommend that there is a reduction in the total amount of windows on the western elevation, with the remaining glass areas treated with design features such as external privacy screens to minimising the amenity impacts of direct overlooking to our property.

Glazing

Our initial submission made reference to the concerns of excessive glare and reflection to our property, particularly from the proposed western elevation. Whilst amended plans show the materials used for the garage door are now timber rather than a glass glazing, there has been no attempt to reduce the remaining glazing or to use other techniques such as, reducing the amount of glazing, incorporating shading devices or recessing the glazed areas into the façade as listed in Warringahs DCP. Therefore, the amended plans continue to show excessive glare and reflection amenity impacts to the main living spaces of our property.

I recommend that there is a reduction in the total amount of windows on the western elevation, with the remaining glass areas treated with design feature to minimising the amenity impacts of glare and reflection to our property.

Cost of Works

There is also great concern in regards to the change in the cost of works for the proposal from the original quote of \$1,149,900 to an amended quote of \$946,050. The concern is that the amended costs of works is a deliberate attempt to ensure the application falls outside the criteria for applications to be determined by the Development Determination Panel (i.e. a minimum cost of construction of \$1million and with three unresolved objections). Could I please have some clarification on how this application will be determined in light of the amended cost of works.

Conclusion

I am extremely disappointed that the serious amenity concerns we have previously raised have not been addresses via the amended plans.

Moving forward, I request that the applicants should be required to install surveyed height poles so to accurately demonstrate the height, profile and view loss of the amended addition. In addition to design changes to reduce the glazing on the western elevation.

Once height poles are installed and if any further information or amendments are submitted by the applicant I would like the right to be able to make a further submission to the Council with respect to the issues raised in this letter.

Please don't hesitate to contact me on 0413 607234 should you have any questions or if you need any further clarification.

Finally, please confirm receipt of this email.

Kind regards

Paul Najar & Amanda Graham
Owners of 139A Fuller Street Narrabeen