
Sent: 9/03/2022 1:41:15 PM
Subject: DA2021/2617 - 25 Carrington Pde, Freshwater
Attachments: 080322 ltr cncl.pdf;

Hi

Please find attached submission on behalf of the adjoining property owner in relation to the above Development Application.

Regards

Natalie Nolan
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8 March 2022

General Manager
Northern Beaches Council - Manly
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

DA NO: 2021/2617

**PROPOSED: CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO
AN EXISTING DWELLING**

PREMISES: 25 CARRINGTON PARADE, FRESHWATER

I refer to the above Development Application lodged on 17 January 2022. We have been engaged by the owner of No. 9 Dick Street which adjoins the southern boundary of the development site.

Following the review of documentation, we object to the following:

- Excessive Height and Bulk
- View Loss

In this regard we provide the following specific comments:

Excessive Height & Bulk

Whilst the plans indicate that the proposal complies with the maximum height controls of the Warringah LEP, the proposed upper level does not comply with the B3 - Building Envelope controls of the Warringah DCP.

The non-compliance results in unreasonable bulk when viewed from the No. 9 Dick Street. It is noted that the proposed additions provide for a flat roof form with a level of approximately RL25.5 which is 1.1m above the ridged height of the adjoining dwelling to the north, No. 26 Carrington and 1.3m above the height of the roof at No. 24 Carrington Road. As can be seen from the photo below, it is envisaged that the proposed additions will sit significantly higher than the adjoining properties and result in unreasonable bulk. The additions should be reduced to be more compatible with the adjoining properties.



View from private open space and living area of No. 9 Dick Street.

The proposed additions are not compatible in terms of height with the surrounding properties when viewed from Carrington Parade. The two adjoining properties present as two storeys with garaging under. The proposal introduces a new upper level resulting in three storeys with garage under. This would set an undesirable precedent.



View from Carrington Parade

The plans should depict the outline of the two adjoining dwellings, at No. 24 and No. 27 Carrington Pde, on both the front and rear elevations. This would enable adjoining owners and Council to view the full extent of the new upper level.

Views

The proposed new upper level will obstruct existing water views from the private open space and living areas from No. 9 Dick Street. As stated above plans should be updated to depict the outline of the two adjoining dwellings to ascertain the full impact. At a minimum, height poles should be erected to demonstrate the height and bulk of the proposal and the impact on views. Based upon the information currently provided, an assessment as per the planning principle established in *Tenacity Consulting P/L v Warringah Council* is provided below:

Step 1: Assessment of Views to be Affected

The view is of the ocean and is considered to be significant.

Step 2: Where are Views Obtained From

The views are obtained a number of vantage points of No. 9 Dick Street including, the principal private open space (adjacent to the pool and the deck) and the living areas. It is noted that the living areas are located on the ground level of the No. 9 Dick Street and are identified by 'L' on map below.



Subject site bounded in yellow;
Views indicated in red
Living areas 'L'

Step 3: Extent of Impact

The proposal will obstruct existing views from the living areas and private open space of No. 9 Dick Street. The proposal extends well above the height of the adjoining properties and obstruct views to the east and northeast. As noted previously, it is considered essential that height poles be erected to correctly assess the impact of the proposal.

Step 4: Reasonableness of the Proposal

It is considered that the proposal, which extends substantially above the height of the two adjoining dwellings and introduces a third level is unreasonable. The Planning Principle states:

A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable.

The property does not comply with the building height envelope and also provides for non-compliance with the wall height control. These non-compliances contribute to the view loss and is considered unreasonable.

Conclusion

Following review of the plans submitted with the Development Application, Council's controls it is our opinion that the proposal has an unreasonable impact in terms of bulk/scale and views on our property at No. 9 Dick Street.

The proposal results in many non-compliances with Council's DCP including building envelope and wall height. Height poles should be erected and plans updated to depict the outline of the adjoining properties.

The proposal provides for a new upper level to further enhance views for the development site but to the direct detriment of the adjoining property to the rear.

Should you require additional information or wish to discuss this matter, please do not hesitate to contact me on 0403 524 583.

Yours faithfully,



Natalie Nolan