
Sent: 21/08/2020 2:13:36 PM

Subject: DA 2020/0838 - Submission

Attachments: DA 2020-0838 - Submission from residents of 37 Bushey Pl.docx; DA 2020-0838 Submission from residents of 37 Bushey Place.pdf;

Attention: Catriona Shirley

Dear Catriona,

Please see **attached** our submission in relation to DA2020/0838, address 86 Quirk Street, Dee Why (in both Word and PDF formats).

Yours sincerely
Simone Collignon
37 Bushey Place, Dee Why

21 August 2020

Simone and John Collignon
37 Bushey Place
Dee Why NSW 2099

Northern Beaches Council
Planning Department

Application No. DA2020/0838
Address: Lot 3 DP 10683 86 Quirk Street, Dee Why

Attention Catriona Shirley

Dear Madam,

We own and occupy the property at 37 Bushey Place, Dee Why, NSW 2099. Our property is located almost directly across from the proposed development at 86 Quirk Street, Dee Why (**Property**).

As you are aware, 86 Quirk Street is situated on two roadways – it fronts Quirk Street and backs onto our laneway, Bushey Place.

We have a number of concerns with the Development Application, the principle ones being that the proposed development represents a gross overdevelopment of the site which will negatively impact residents of both Quirk Street and Bushey Place, as well as the many locals who use Bushey Place as a pedestrian thoroughfare. Furthermore, we are concerned that the development, if approved, will set a precedent on the Northern Beaches allowing developers to completely obliterate neighbours' views for their own financial gain. This would not be in keeping with the community's desires or the Council's objectives and planning controls.

Our concerns with the Development Application are as follows:

Description of issue	Concerns
<p>1. Increased risk to vehicles, residents and pedestrians using Bushey Place: We note that Bushey Place:</p> <ul style="list-style-type: none">• is a two-way laneway (vehicles may travel in either direction) but only wide enough for a single vehicle to pass at any one time – oftentimes vehicles entering Bushey Place from Carew Street must reverse back onto Carew Street to allow vehicles to exit Bushey;• lacks footpaths;• lacks on-street parking;	<p>Increased vehicle traffic, particularly of heavy vehicles during the construction phase, will lead to significantly increased:</p> <ul style="list-style-type: none">(a) dangerous traffic conditions for vehicles, pedestrians and animals;(b) damage to the grass and soil verges on adjoining and nearby properties, including our own; and(c) further degradation of the already damaged road surface.

<ul style="list-style-type: none"> • lacks virtually any verge suitable to allow vehicles to pass safely; and • a popular pedestrian thoroughfare for locals walking their dogs and children on bikes, etc. 	
<p>2. Overdevelopment: Bushey Place is:</p> <ul style="list-style-type: none"> • quiet, leafy street with relatively modest homes with substantial gardens and greenery; • a 'hidden gem' in the local area. 	<p>The bulk and scale of the development is not in keeping with the character of the area. In particular:</p> <ul style="list-style-type: none"> (a) the development will significantly negatively impact the streetscape of Bushey Place; (b) the scale of excavation and backfilling required to achieve the desired block and building heights will cause severe drainage and runoff issues; and (c) the bulk and scale of the development is excessively obtrusive, particularly when viewed from our property and that of our immediate neighbours situated directly across from 86 Quirk Street.
<p>3. Non-compliance with Planning Controls: We do not believe that the following aspects comply with the word and spirit of applicable Planning Controls:</p> <ul style="list-style-type: none"> • the ratio of hard to 'living' surfaces; • building envelope and bulk of the development; • rear and side setbacks; • fence heights, particularly onto Bushey Place; • view sharing; • secondary dwelling is essentially a two storey development, with rooftop entertainment and pool area. 	<p>The Development Application is non-compliant in a number of areas, showing a complete lack of regard for Council's planning objectives, as well as the impact of such a development on longstanding and new residents to the area (including the owners at 84 Quirk Street, who only recently moved into the street and stand to lose their entire view).</p>
<p>4. Secondary dwelling is a gross overdevelopment: The Development Application proposes a ground floor dwelling with rooftop entertainment zone, swimming pool and hard areas – in effect, a two storey building.</p>	<p>The proposed secondary dwelling is not a typical 'granny flat', but rather intended to function as a separate dwelling and residence. Not only does this appear to bypass planning controls addressing minimum lot sizes and subdivisions, but it also represents an unreasonable use of the property.</p> <p>Any secondary dwelling to front Bushey Place should be limited at most to a single storey, in compliance with Planning Controls, such as the recent development of a secondary dwelling at</p>

	<p>the rear of 82 Quirk Street, which is a modest, single storey dwelling with off-street parking.</p> <p>The sheer size of the proposed secondary dwelling is out of character for Bushey Place which will negatively impact neighbours' views, property amenity, privacy, and the condition of the road and verge surfaces on Bushey Place.</p>
<p>5. No on- or off-street parking on Bushey Place: There is:</p> <ul style="list-style-type: none"> • no on-street parking on Bushey Place, except for a few spaces at the old 'dead end' area at the eastern end of Bushey Place (some 50m from 86 Quirk Street); • no off-street parking available on the Bushey Place side of 86 Quirk Street; and • no provision made for trades and materials to access the property from Bushey Place for construction of the secondary dwelling, pool and landscaped areas. 	<p>The lack of available parking and loading area at the rear 86 Quirk Street (i.e. on and from Bushey Place) will:</p> <ul style="list-style-type: none"> (a) present unreasonable traffic hazards to residents and pedestrians; and (b) result in damage to grass verges on neighbouring properties. <p>We request that all building materials must be delivered to the Quirk Street entrance to the property. If required, any deliveries or access for trades via Bushey Place must be closely controlled and appropriate notice of any road closures given to residents (at least 24 hours' notice).</p>
<p>6. Environmental / biodiversity / drainage impacts: 86 Quirk Street is situated within close proximity to Wingala Reserve – a natural bushland reserve that is home to a number of native species. These species use Quirk St / Bushey Place properties to forage for food and water.</p>	<p>The development will:</p> <ul style="list-style-type: none"> (c) result in further pooling of water on Bushey Place (in particular where 86 Quirk and 88 Quirk adjoin Bushey Place) and runoff into our and our immediate neighbour's properties located downhill; (a) cause further degradation of the road surface; and (b) impact local wildlife that use Wingala Reserve and the properties along Bushey Place to forage for food. Species observed in the area include extensive birdlife (tawny frogmouths, owls, brush turkeys, cockatoos, lorikeets, magpies, etc) blue-tongue lizards, ring-tail possums, brush-tail possums and native bee species.
<p>7. Noise and privacy impacts: The proposed development includes an elevated, rooftop entertaining area and swimming pool.</p>	<p>The proposed location and elevation of the entertaining zone and pool area (essentially two storeys above street level, mere metres to the Property's boundary on Bushey Place) will:</p> <ul style="list-style-type: none"> (a) enable occupants of 86 Quirk to have a direct line of sight into our property and our immediate neighbour's property; and

	<p>(a) result in a loss of acoustic privacy for us and our neighbours, exacerbated by the proportion of proposed outdoor / hard surfaces and hard landscaping.</p> <p>The pool and entertaining areas should be relocated closer to the main dwelling, with a greater setback from Bushey Place to reduce noise and privacy issues, as well as retention of streetscape and general amenity for surrounding properties.</p>
<p>8. View sharing principles not complied with: The proposed development will result in the complete obliteration of existing valley, lagoon, headland and ocean views for residents at 84 Quirk Street and significantly impact views of residents at 82 Quirk Street.</p>	<p>Although our outlook and views are not impacted, we are concerned that allowing the Development Application to go ahead will:</p> <p>(a) result in complete obliteration of the views held by our neighbours at 82 & 84 Quirk Street, resulting in a significant impact on their property value and loss of amenity and enjoyment of their properties;</p> <p>(b) represent grossly unreasonable and unfair wavier of the view sharing principles in the Planning Controls;</p> <p>(c) set a dangerous precedent for developments on the Northern Beaches allowing developers to completely build out their neighbours' views for their own financial gain and at their neighbours' expense;</p> <p>(d) generate ill will amongst residents of both Quirk St and Bushey Place, who feel the Development Application is unfair and an overdevelopment of the site.</p>

Your sincerely,

Simone and John Collignon

21 August 2020

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37 Bushey Place
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