
Sent: 14/03/2022 4:39:36 PM

Subject: DA2021/1408 - Northern Beaches Planning Panel

Attachments: KN567 Submission to NBLPP re 16 Addison Road Manly 14.03.22..pdf; Sarah Joyce Submission to NBLPP re 16 Addison Road Manly 14.03.22.pdf; Patrick A Joyce Submission to NBLPP re 16 Addison Road Manly 14.03.22 (002).pdf;

To whom it may concern,

Please find attached our submissions for Patrick Joyce, Kerry Nash and myself, each of whom have registered to speak in support of the DA for 16 Addison Road, Manly at the Northern Beaches Planning Panel's meeting on Wednesday.

Regards,

Sarah Joyce

(owner of 16 Addison Road, Manly)

KN PLANNING PTY LIMITED

SUBMISSION TO NORTHERN BEACHES LOCAL PLANNING PANEL MEETING 16 MARCH 2022 REGARDING AGENDA ITEM 4.3 DA2021/1408, 16 ADDISON ROAD MANLY

KN Planning Pty Limited has been engaged by the Applicant to make a submission to the Panel in support of the development application in respect to the view assessment undertaken by Council.

View Assessment

There appears to be a disconnect within the Assessment Report as to the extent of view impacts on adjoining properties – at page 203 it is described as “excessive loss of harbour view” to the actual view assessment (pages 213-216) where it ranges from negligible to minor to moderate impact. The following commentary is provided on the extent of view impacts on the four nominated properties:

Units 5 and 6, 22-26 Addison Road – agree with assessment that view impact negligible to minor; report fails to assess totality of views of Little Manly Cove available from these properties. The proposed development will have no adverse impacts on views currently enjoyed from these properties.

12 Addison Road – the only view from this property is from a first-floor bedroom and adjoining balcony across a side boundary. Part 3.4.3 of the Manly DCP 2013 states that the “DA assessment is to determine the extent of, and impact on views at eye height in a standing position (eye height is 1.6m above floor level) from **within the main living areas (and associated terraces/balconies)...**”. The proposal has no impact on views from the ground floor living areas of 12 Addison Road as there are no views of Little Manly Cove available from this level. From the view sharing objective under 3.4.3 of the DCP and in the context of the *Tenacity* planning principles the impact on the view from the first-floor bedroom/balcony of No.12 is satisfied in that approximately 65% of the current view of Little Manly Cove are retained, including the land/water interface, as evident at *Figure 1* attached. Similarly, a compliant development would result in an increase in view loss as evident at *Figure 2* attached. The view sharing outcomes for No. 12 are reasonable in the context of the *Tenacity* principles and the Manly DCP.

18 Addison Road – the views are from a first-floor sunroom/study over the existing single storey dwelling on the subject site. There are no views from the ground floor living areas. The proposed development will increase the views of Little Manly Cove and introduce the land/water interface with Little Manly Point through a flat roof form and reduction in the building height as evident in *Figure 3 attached*. A development fully compliant with the planning controls, that is a 2-storey component on the footprint of the existing dwelling, would result in a 100% loss of views over the subject site, as indicated on *Figure 4*, although views to the north-east to Little Manly Beach are maintained. For these reasons it is my view that the impact on No.18 would be minor in the context of the *Tenacity* principle and the provisions in the Manly DCP.

Accordingly, the view impacts arising from the proposed development are not excessive, but rather reasonable and not a reason for refusal of the development application.



Kerry Nash 14.03.22

12 Addison Road

Figure 1

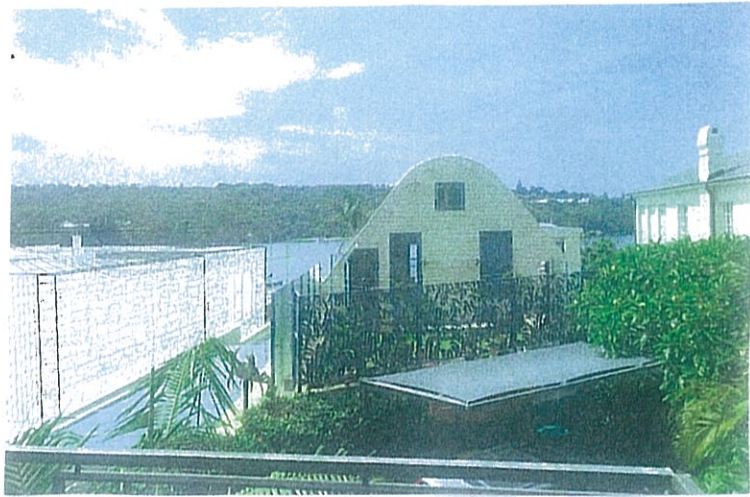
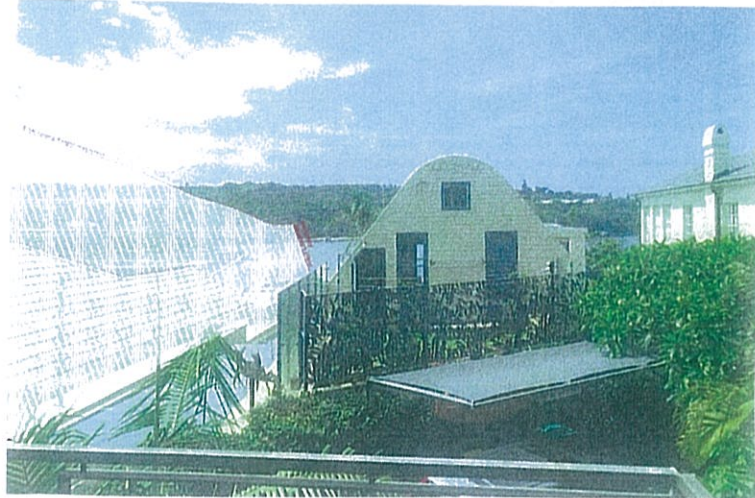


Figure 2



18 Addison Road

Figure 3

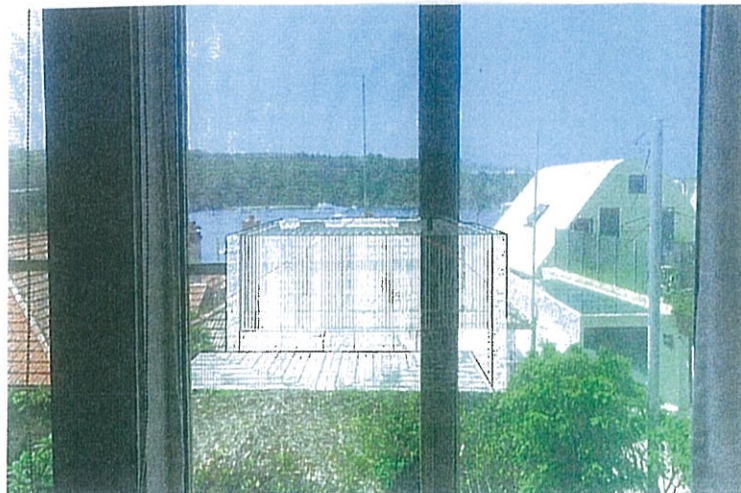
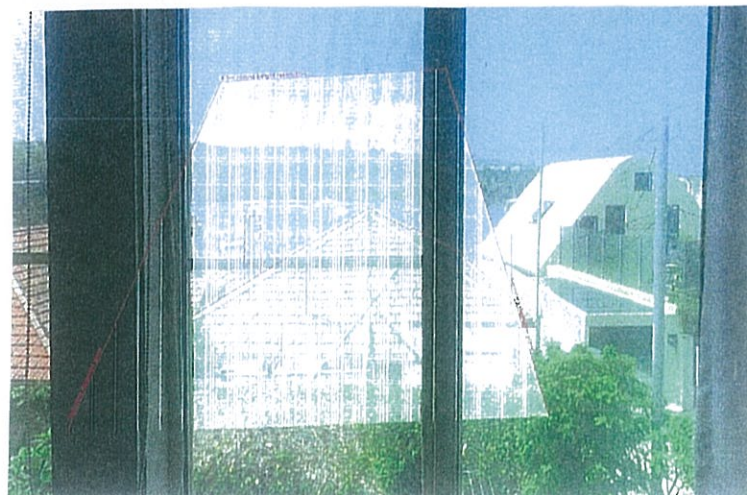


Figure 4



**SUBMISSION TO NORTHERN BEACHES LOCAL PLANNING PANEL MEETING
16 MARCH 2022 REGARDING AGENDA ITEM 4.3
DA2021/1408, 16 ADDISON ROAD MANLY**

I am making this submission as the owner of 16 Addison Rd, Manly which is the subject of the DA. It is noted from Council's Assessment Report that there are two key issues which are basis for its refusal – heritage, setbacks and associated view loss. I will confine my written and verbal comments to the former. View loss and setbacks are being covered by our planner Mr Kerry Nash and my husband Patrick Joyce.

The issue of heritage is a new issue that we have only just been made aware of following receipt of the Assessment Report. This is despite us working collaboratively Northern Beaches Council for approximately 18 months which included having a pre-DA meeting, numerous calls between our planner, ourselves and council officers and a recent meeting with Council to discuss Council's likely final determination held on 1 February 2022. At no point was the impacts of heritage mentioned as a concern. To the contrary we were repeatedly assured that side setback impact on view loss was the only remaining issue. This deprived us of the ability to raise the issues that I will raise in this submission.

We believe we are not having an impact on the heritage of the harbour foreshore and that this should not be a reason for refusal for following reasons:

1. ***None of our development is within the harbour foreshore area.*** This DA contains no development that is located within the harbour foreshore area around the mean high tide water mark. Although redevelopment of the ocean pool and spiral stairs will occur, this has already been approved by Council in 2019 (DA2019/0808 and Mod2020/0064). Even the area that adjoins the harbour foreshore area is remaining largely as it is today with the existing rock faces being retained and new planting replacing the exotic plantings that are there now.
2. ***The views of the heritage officer are incongruous with rest of the findings of the report.*** Over and above the fact that our proposal contains no development below the mean high-water mark, it is also the case that the heritage findings are inconsistent with the assessment received by other Council staff including environmental staff. The Assessment Report identifies that there are no impacts on the harbour and the surrounding flora and fauna. The assessment officer also approved the house in terms of its impact on the amenity and privacy of the surrounding homes and residents (save of course for their views on view loss). The Assessment Report is inconsistent as it identifies in other parts that the impacts upon the foreshore's heritage are not an issue stating:
 - "Given the variety of development along the southern side of Addison Road, the proposed development when viewed from the foreshore is not deemed to be unreasonable or unsightly. The issue does not warrant the refusal of the application". (p192)
 - "The proposal is not considered to substantially alter the appearance of the foreshore area in the vicinity of the site...The proposed dwelling house is compatible with the established and future character of the locality" (p203)
3. ***The totality of the site is also sympathetic to the adjacent foreshore and is an improvement to the current development.*** It is also worth noting that the totality of the site is very sympathetic to the foreshore in that the house intentionally nestles into the slope, it proposes significant landscaping to soften the building, and uses natural materials and colours. We believe that the new house will be a substantial improvement on what is there now and will have less visual impact from the harbour and key vantage points than the majority of the houses along the foreshore in that locality. The following page shows a photo montage of the house viewed from the water and a photo of the surrounding houses along with foreshore from Little Manly Point Park.

Our hope is that Panel will recognise the fact that there is no development within the mapped foreshore area within this DA and appreciate the efforts we have gone to in our design to make the building sympathetic to the landscape and neighbouring properties which we believe will visually improve the foreshore area.



Sarah Joyce 14/3/22



**SUBMISSION TO NORTHERN BEACHES LOCAL PLANNING PANEL MEETING
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I am making this submission as the applicant for the DA for the redevelopment of the 16 Addison Rd, Manly. I appreciate that many on our local community wish that 16 Addison Rd remained in its current form as a 60-year-old single story bungalow and was never re-developed. However the current house is uninhabitable and is completely inappropriate for a family of five in the year 2022. We wish the panel to objectively re-assess the heritage and view loss/setback grounds identified in the Assessment Report as grounds for rejection. I provide the following comments.

Efforts to minimise impact on amenity - From the outset, we sought to do redevelop the site in a way that minimises impacts upon our neighbours. The site cascades from street level down to the waterfront and lends itself to a house also does this. The first plan presented to us by our architect was fully compliant and started with a two-story form at street level with several additional floors that cascaded towards the water. The result for our family would have been 4 stories (never more than 3 being contiguous) with spectacular views of the harbour. The result for some of our neighbours however would have been a significant loss of their views and overshadowing. The Panel would have seen this first option in the form of site poles at street level when they did their site visit.

We rejected this plan and asked our architect to push the house down into the site so as to reduce view loss and maximise privacy and amenity of our neighbours to the extent possible. ***The result is a house that is over 3 meters lower than is allowable under the DCP and that is 300mm lower than the ridge line of the current one-story house that it is replacing.*** This is, both from a planning and a common sense perspective, a hugely relevant factor when discussing view loss and yet it is barely mentioned in the report. The above fact set is in also incongruous with the comment on page 203 of the report that says that "The level of view loss has not been suitably minimised".

The above explanation is important as it relates to our desire to be fair to our neighbours, ***but most importantly it is the reason for our non-compliance on side set back.*** Keeping the new house lower than the current one-story house and the presence of a sewer main below the house meant that we had a limited envelope to work within. The house is only 324sqm as it is, which is a very modest size for a family of five with teenage kids and working from home parents. For us to be compliant with side set back and achieve the same floor space, we would have to build a two-story structure at street level which, whilst complying, would be much worse for the neighbours whose views the panel is concerned with protecting. ***It is our strong desire to avoid this outcome.***

Consultation – We approached our immediate neighbours 12 months before we lodged our DA with an explanation of our plans, the plans themselves and an offer to consult with us. Only one of the neighbours (No 14A) took us up on our offer and whilst they lodged an objection, it was withdrawn (whilst retaining their rights to comments on the traffic management plan) post some additional explanation of our design and two additional changes that improved privacy. Three other neighbours indicated that they were fine with the development but then lodged objections anyway.

We also worked with council for 18 months in a very collaborative process. We used a planner who was well known by council (Geoff Goodyer), who unfortunately retired just before Christmas. We engaged in a pre-DA meeting and had an open dialogue throughout the assessment process, including a call with our assessment officer and his manager just before the report was finalised on the 1 February 2022. Council staff acknowledged the fact that the house being so much lower than the maximum height was a highly relevant factor and actually encouraged us (as part of our pre-DA meeting) to lower it further, which we did, to the maximum extent possible within the constraints

posed by the sewer main that runs under out house. ***I note that at no point was the impact of the development on the harbour foreshore heritage mentioned.*** Yet, notwithstanding the fact that none of the DA's development occurs within the harbour foreshore heritage area, it emerged at the last minute as a reason for non-approval. This objection is illogical, and we wonder if the council officer has conflated the harbour front swimming pool and spiral stairs ***which were the subject of their own DA which was approved in 2018,*** and this DA which is entirely outside of the foreshore area.

We ask that the panel objectively re-examine the heritage and view loss justifications for the refusal recommendations and acknowledge the significant efforts we have gone through to appease Council and our neighbours.



Patrick Joyce
14/3/2022