

15 March 2024

The General Manager  
Northern Beaches Council  
PO Box 82  
MANLY NSW 1655

Attn: Mr Nic England

Dear Mr England,

<b>Development Application No:</b>	<b>DA 2023/0997</b>
<b>Premises:</b>	<b>96 Iluka Road, Palm Beach</b>
<b>Proposed Development:</b>	<b>Demolition Works and construction of a dwelling house including garage and swimming pool</b>

I refer to Council's request for additional shadow information to quantify the proposed shadows cast by our development to the adjacent property at No 94 Iluka Road Palm Beach.

In response, we are pleased to offer the attached Certified Shadow Diagrams prepared by Deneb Design, Reference No 2119, Sheets SD 01 – SD – 20, Version 01 dated 14 March 2024.

The Shadow Diagrams provide a plan view, elevational view and 'Views from the Sun' assessment of the proposal, which we believe reinforce the previous shadow analysis provided by our Project Architect.

In order to inform the revised shadow analysis, additional survey information has been obtained which is included within our response for your review.

Our plans note the existing covered walkway/pergola which traverses the central courtyard, which we believe reinforces the primary use of the central courtyard space as a transition area between the garage and studio and the main dwelling.

We remain firmly of the view that the western portion of the dwelling at No 94 and the associated western yard facing Pittwater are the principal areas of open space for the neighbour and have been the focus of our design response to ensure that the amenity of the neighbouring property is not adversely affected as a result of our proposal.

As we had discussed in our recent submission of 15 January 2024, Council's previous DA assessment report for approved additions and alterations to the neighbouring property at 94 Iluka Road (as attached – see paragraph 7.8), considered that the central courtyard of the neighbouring property

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was not considered to be providing a significant contribution to private open space, with the western portion of the neighbouring site assessed by Council to be the primary living rooms and associated principal outdoor living area.

The design of the neighbouring dwelling at No 94 has placed the principal living areas at the western end of the ground floor level with the principal outdoor living space directly associated with these rooms and within the western yard. As the western living rooms and associated yard areas were seen to be of importance in providing the primary contribution to outdoor living area, Council's DA assessment supported a 2m Foreshore Building Line encroachment for No 94 to allow for optimum solar access for the neighbouring private open space and amenity.

We reiterate the officer's comments in relation to council's assessment of solar access provisions for the neighbouring property at No 94:

*"the foreshore area obtains the most solar access throughout the afternoon, making the location of the terrace within the foreshore area an appropriate location for private open space and amenity."*

The additional shadow information prepared by Deneb Design confirm that the north facing windows to the primary living rooms and the immediate primary outdoor living areas to the west of the dwelling are largely unaffected after 9am. There is some minor additional shadow to a north facing window to the living area at 9am however this window and the principal living rooms have the opportunity to receive full sun by 10am and the proposed development will not remove solar access to the living areas of the neighbour for the remainder of the day.

We believe that our previous shadow information and the revised Certified Shadow Diagrams prepared by Deneb Design should satisfy Council that the principal living areas and the primary private open space of No 94 Iluka Road will achieve solar access in accordance with Council's minimum requirements.

We remain available to respond to any further issues in order to support our proposal.

Should you require any further information, please don't hesitate to contact our Project Architect – Rachel Hudson on 0410 323 564 or myself on 0412 448 088.

Yours faithfully,

A handwritten signature in black ink, reading "Vaughan Milligan". The signature is written in a cursive, flowing style.

**VAUGHAN MILLIGAN**