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Subject: Online Submission

23/02/2020

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RE: DA2020/0034 - 11 Moore Street CLONTARF NSW 2093

Mr Jordan Davies'
Planner,
Northern Beaches Council

RE: DA2020/0034 - 11 Moore Street Clontarf

My wife and I are the owners of 9 Moore Street Clontarf and are adjoining neighbours to the Applicant's house on its eastern side. We make the following submissions in relation to Application DA2020/0034.

Summary:

Significant adverse impacts in relation to view loss and overshadowing arise from this proposal;
The proposal is not consistent with DCP objectives in relation to view loss and overshadowing;
and
The Applicant's Statement of Environmental Effects (Statement) in relation to view loss, overshadowing and compliance with Manly LEP 2013 (LEP) is incorrect and misleading.

Significant view loss to southwest & west:

:

The outlook from our house is 270 degrees from the east through to the north west. As the proposed development is on the western side of our house then we will be deprived of significant panoramic south west & western views. The Statement is very selective in that it makes no reference to our south west & western viewing opportunities and any loss thereof. The only reference to our viewing opportunities is that it states our outlook is to the south (page 4), which is incorrect.

Southern aspect set back and view loss:

The majority of houses on the south side of Moore St (our & the Applicant's side) are 2 stories. All of these houses have the south facing facades of their second storeys set back approx. 4 meters from the south facing façade of their lower storeys. As the land falls away significantly east to west this set back provides a cascading and very open western view corridor and also retains the privacy of each house as they are all approximately in line.

The Applicant's design does not have this 4 metre set back from its southern facing façade as it is only set back 900cm. The affect is that the addition structurally situates itself 3 meters in front of the set back and significantly affects our western open cascading view corridor from

our balcony and also very significantly affects our western harbour views from our living area and kitchen. The comment in the Statement 3.1.4 that our view corridor has been retained is incorrect.

Loss of privacy:

Due to the east to west land fall the addition's floor level is at the same level as the floor level of our lower storey. The proposed windows on the addition's eastern side (W3 & 4) will look directly into our 2 bedrooms on our lower level and our kitchen and living levels on our first floor level. Notwithstanding that the panes are translucent they slide open and therefore there is really only one pane that is translucent. For these reasons they must not be sliding and be hinged at the top and only wind open from the bottom and be located at head height i.e. the bottom of the window to be 165 cm from floor level.

Roof Height:

The proposed roof design will deprive us of our western views from our living areas and kitchen.

We believe that the roof height exceeds the required limit of 8.5 metres. Measurements have been taken from the building's ground floor level which is not the lowest level of the land on which the building sits. Please note the east and west elevations on the submitted plan. The Statement at 3.1.1 refers to "natural ground level", whilst the LEP refers to "ground level (existing)" which in turn is defined in the LEP to mean "the existing level of a site at any point". We submit that the Applicant has incorrectly measured the height of the roof.

Further there is no practical reason for this roof design as it has no sky light windows. As we will look directly onto this building's roof any design that may be passed must be constructed of non reflective material in accordance with DCP objective 3.4

3 Storey Building:

We believe that the Applicant's current dwelling is in fact a 2 story building and accordingly the proposed storey will create a 3 storey building and the FSR will be exceeded.

The level that the Applicant refers to as a basement does not comply with the definition of a basement set out in the LEP so in fact it is a ground floor. The LEP definition of a basement has 2 components being: the floor level of that space is predominately below ground level (existing); and the floor level of the storey immediately above is less than 1 metre above ground level (existing).

The Applicant's alleged basement fails to meet either of those 2 components. It is clearly seen from the East and particularly the West Elevations in the plan that the space is not predominately below ground level (existing) and that the floor level of the story immediately above exceeds 1 metre above ground level (existing).

Over shadowing:

The applicant's shadow diagram for 12 June at 3pm shows a extension of shadow over our pool and surrounding pool area by over 100%. This area has been designed to be tucked away from the southerly winds and is a sun trap. We use this area extensively in winter to relax and

entertain. The extended shadow line will eliminate this sun trap and detrimentally impacts the use of our property and lifestyle. We note that at page 3, penultimate paragraph, of the Statement it is stated that "no shadows are projected across existing dwellings", yet the Applicant's shadow plan shows the direct opposite.

We also query why a summer shadow line has not been prepared.

Attendance at our house:

If it would be of assistance to you to fully appreciate the reasons for our submissions you are welcome to come to our house for a viewing. We note that Catriona Shirley did so and we believe that she found it of great assistance. My contact number is 0432484105.

Conclusion:

This proposal results in a 3 storey building which does not comply with the required building height and FSR of the LEP. Further it creates very significant view loss, privacy impact and significant shadow line impact which greatly affects our lifestyle. For all of these above reasons we believe that this application should be refused.

Regards

Sue & John Woolfe