
From: Katherine Sheppard
Sent: 25/01/2022 10:45:17 PM
To: Council Northernbeaches Mailbox
Subject: Submission Re: DA 2021/2478 (No. 44 Kooloora Avenue, Freshwater)
Attachments: Submission Letter.pdf;

Attention: Mr Adam Croft

Please find attached submission letter from Mrs Alison Walker-Powell regarding DA 2021/2478.

Kind Regards

Katherine

Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: Mr Adam Croft, Planning Officer

By Email: council@northernbeaches.nsw.gov.au

25 January 2022

Dear Mr Croft,

**Re: DA 2021/2478 Proposed Alterations and Additions to a Dwelling House
No. 44 Kooloora Avenue, Freshwater**

I refer to the abovementioned Development Application which was placed on public exhibition by Northern Beaches Council from 13 January 2022 to 27 January 2022. I own and reside with my husband in the house next door at No. 42 Kooloora Avenue, located to the north west of the subject site.

This submission has been prepared following discussions with my architectural and town planning advisors and following a detailed review of the proposed plans made available electronically via Council's DA tracking system.

I understand that the proposed alterations and additions to my neighbour's house are required to be assessed having regard for the development standards and planning controls contained in Warringah Local Environmental Plan 2011 and Warringah Development Control Plan 2011. I also understand that as part of Council's merit assessment of the Development Application, Council is required to consider the potential for the development proposal to cause adverse amenity impacts on the use and enjoyment of my property.

I wish to take this opportunity to thank my neighbour's and their advisors for their considered design approach to the overall redevelopment of No. 44. However, I would like to raise two specific concerns which relate to the potential for noise nuisance and loss of privacy and hope that my suggestions to ameliorate the potential for impact can be incorporated into the design.

Noise Disturbance

A large alfresco entertaining deck is proposed at the front of the property on the upper level projecting well forward of the existing front building line. I note that principal entertaining decks are preferably located at ground floor level where it is possible to mitigate the potential for adverse noise and privacy impacts on neighbours. However, I understand the design of the proposal is somewhat constrained and to a degree guided by the existing floor plan at No. 44. The proposed deck will be in close proximity and at a similar level to my master bedroom and I am concerned about the potential for noise transmission, particularly through the south east facing louvred bedroom window. At present this window enjoys an open aspect towards the beach reserve across the frontage of No. 44 and affords significant amenity to my master bedroom. While I am disappointed I will lose this side aspect, my principal concern is around the potential for noise disturbance during use of the alfresco entertaining area. I note that the existing house at No. 44 has been built with a solid wall to the side of the upper level balcony (which is set further back on the site than the new alfresco deck will be and therefore further separated from my master bedroom) but that the proposal only includes a vertical screen with openings.

Given the close proximity between the proposed alfresco entertaining deck and my master bedroom, I respectfully request that a solid wall be provided on the side of the upper level alfresco entertaining deck adjacent my property to assist minimise the transmission of noise into my master bedroom to the greatest degree possible.

Loss of Privacy

I have grown a hedge along the rear of the common boundary with No. 44 and while it will assist to afford us some privacy from the upper level windows in the proposed house at No. 44, for practical maintenance and sunlight reasons, I need to maintain it at approximately its current height. At this height, I am concerned that the hedge will not be high enough to provide adequate privacy to my house and backyard from the upper level windows proposed at No. 44. In this regard, I have attached a number of photos to this submission to assist Council contextualise my concerns.

In particular, I am concerned about sightlines from proposed Windows 118, 119 and 120 and respectfully request the following measures:

- provide a fixed vertically bladed screen to Window 120 to direct views to the rear of No. 44.
- convert Window 119 to a high level window to prevent clear sightlines into my son's rear facing bedroom window and to retain privacy at the rear of my property. Refer to the Photos provided at **Figures 1 and 2** and the view line sketch provided at **Figure 3**.
- convert Window 118 in the master bedroom to a low level window that will benefit from the amenity created by the low rise roof garden but that will not have clear sightlines into the rear facing windows in my children's bedrooms or compromise privacy at the rear of my property. Refer to the Photos provided at **Figures 1 and 2** and the view line sketch provided at **Figure 3**.

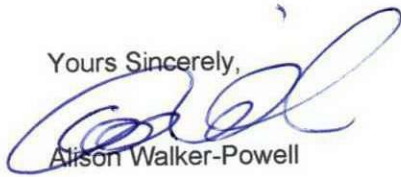
The main objectives of this submission are to request that Council require the Applicant:

- provide a solid wall on the side of the upper level alfresco entertaining deck adjacent my property to assist minimise the transfer of noise into my master bedroom (at present a vertical screen with openings is proposed).
- provide a fixed vertically bladed screen to Window 120 to direct views to the rear of No. 44.
- convert Window 119 to a high level window to prevent clear sightlines into my son's rear facing bedroom window and to retain privacy at the rear of my property. Refer to the Photos provided at **Figures 1 and 2** and the view line sketch provided at **Figure 3**.
- convert Window 118 in the master bedroom to a low level window that will benefit from the amenity created by the low rise roof garden but that will not have clear sightlines into the rear facing windows in my children's bedrooms or compromise privacy at the rear of my property. Refer to the Photos provided at **Figures 1 and 2** and the view line sketch provided at **Figure 3**.

I thank Council for the opportunity to review and comment on the proposed plans for No. 44 Kooloora Avenue, Freshwater. This letter details my concerns surrounding the potential for noise disturbance and loss of privacy to significantly and materially affect the use and enjoyment of my home. I trust the suggestions made will be supported by Council and the Applicant and incorporated into the design.

I invite you to inspect my property to gain a full appreciation of the matters raised in this submission.
Please contact me on [REDACTED] to arrange a convenient time.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Alison Walker-Powell', written in a cursive style.

Alison Walker-Powell



Figure 1: View of upper level rear facing bedroom windows at No. 42 Kooloora Avenue.



Figure 2: View across the existing roof of No. 44 Kooloora Avenue facing north east towards proposed Windows 118 and 119 from an upper level rear facing bedroom window at No. 42.

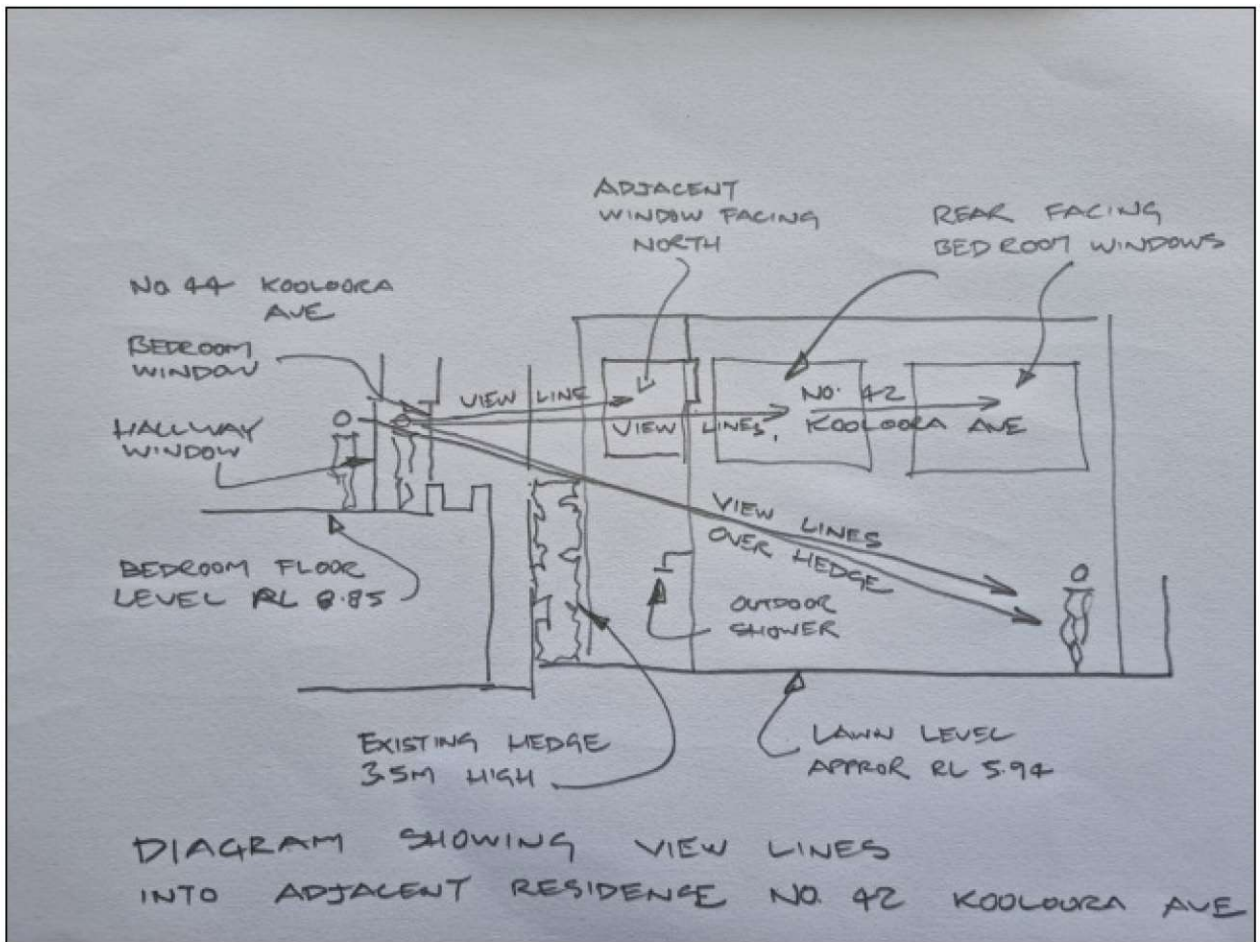


Figure 3: View line sketch