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**From:** Steven Yu  
**Sent:** 30/11/2022 5:54:48 PM  
**To:** Council Northernbeaches Mailbox  
**Subject:** TRIMMED: Objection to DA 2022/1848  
**Attachments:** Objections.docx;

Dear Mr Duncan,

Thanks for taking the time to review our objections to DA 2022/1848.

I have attached it below.

Meizhu Xu & Ping Yu  
175 Seaforth Crescent  
Seaforth  
NSW 2092  
24 November 2022

Northern Beaches Council  
PO Box 82  
Manly  
NSW 1655  
[council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

OBJECTION TO: DA 2022/1848; 173A Seaforth Crescent Seaforth NSW 2092 Alterations and additions to residential development - Alterations and additions to a dwelling house

SUBMISSION: XU & YU

Dear Mr. Duncan,

We hope this letter find you well, and we appreciate the time you spent to read the submissions.

We are writing as the owners of 175 Seaforth Crescent, Seaforth NSW 2092, objecting the proposed DA 2022/1848 of 173A Seaforth Crescent, Seaforth NSW 2092 based on following grounds, as there was very little changes made to the previously withdrawn DA 2021/2463:

- Devastating impact on the visual privacy
- Excessive building height/set back
- Potential structural impact of the extension
- Historical importance of the original building "Nelma"

Our neighbour has submitted an extensive report detailing the dramatic impacts of the proposed plan to the adjoining properties as well as the non-compliances such as the height and setbacks. There isn't much to add to this comprehensive report that was prepared professionally, we do agree to the issues and concerns raised.

However, we feel we should raise some of our greatest concerns as well. We take no pleasure in objecting the DA, we are objecting because this proposed plan will have a detrimental impact on us and all the adjoining properties. Not only did very little changes made to its previously withdrawn DA in regard to the concerns raised in all the previous objections from neighbours, but the updated plan also made it even more inappropriate and disagreeable.

- **Privacy loss**

One of the greatest concerns we have in objecting the proposed plan is the devastating impact on the visual privacy of our property, same to the previous DA submitted.

Putting both DAs side-by-side, the updated plan presented an identical design of the balcony and extended second floor (if not larger visually) with no changes regards to its impact on the privacy of the neighbours.

Such design allows a direct line of sight into the bathroom in the master's suite (directly at the bathtub), as well as two rear windows that leads to two bedrooms, we have had to block out the windows completely with roller shutters almost permanently, reducing the sunlight into our stairwell significantly. This is an unacceptable breach of our privacy and amenity.

Further to the complete loss of privacy from above said windows, our private living area, including the pool and decking area will be fully exposed to the direct line of sight as well. We fear it would be like living under a constant surveillance which will be an irreversible emotional and mental stress to our family.

The updated plan made no effort in reducing the dramatic impact on the privacy, not only to our properties but neighbouring properties as well, it had only made it even more inappropriate by opening up the previously covered south-west side of the roof with additional windows (as compared to its previous withdrawn DA), looking directly into the private living area/balcony/pool area of adjoins property that was just sold, pending settlement (171 Seaforth Cres).

It is unreasonable for the proposed plan to request such an extensive alterations and additions to improve their amenity with disregard to its devastating impact to the privacy and amenities of the adjoining properties in the neighbourhood.

- **Excessive building height/set-back**

It is shown in the other submissions that the updated plan proposed a design that is still exceeding the building height significantly and will require a substantial redesign to be compliant to the 8.5m building standard.

As mentioned in our previous objection, we are suffering a great level of stress as the existing pool towering over us from the view of the rear windows as it is directly above us, in a very close proximity. The raised first floor and the addition of the second floor (**both with an abnormally tall ceiling that seems to be way too generous, exceeding 3.8m in floor to ceiling height**) will add to that stress greatly as it will be significantly taller than current structure.

Such alteration and addition to their current dwelling will reduce incoming lights from above said windows in the privacy section heavily when we do have the shutters rolled up occasionally and it will also block the views of the sky completely. I believe a devastating view loss issue arises for the property above them too (173 Seaforth Cres).

Further to above issue regarding building heights, the proposed DA does not provide an appropriate set-back from the neighbouring properties (173 and 177 Seaforth Cres) to the side and the back, which will set an unfavourable precedent for future DAs.

- **Potential Structural Impact**

As our house sits right below the property presented in the proposed DA, we paid a lot of attention to the only retaining wall between the two properties as it is keeping the land from sliding down into our property which could be a life-threatening situation to both families.

A pool was approved back in 2017 and the construction completed early 2019. We noticed a few small gaps started to develop on the retaining wall around 8-12 months after the completion of the pool and widening, so we spoke to our neighbour briefly about this pool but

were assured that the pool was constructed to the proper standard and shall not cause any structural issue.

We left this issue out of our previous objection as it did not seem to be a massive threat at that time, but situation changed dramatically through the March and July flood period, we had rainwater bursting out of those cracks like nothing we have seen since we moved in.

We have reasonable doubt that the weight of the newly constructed pool could be the one of the causes to this issue, and the over-simplified stormwater management report does not show any useful information.

We have also experienced similar situation when a small excavation carried out on the small pocket of the battle axe land right next to our property, it unexpectedly widened the cracks on the existing retaining wall as well as our concrete ground around our spa deck right next to that pocket of land, an easement of such a small size and close proximity to immediate neighbouring amenity is not fit for any structure to be built on it without causing structural concerns and intrusion to our privacy.

With the addition and alteration proposed in this DA, we fear that could worsen the situation we are experiencing right now, potentially damaging the retaining wall further or even breaking it completely, causing a landslide into our property and turn into a life-threatening situation.

- **Historical importance of the original building “Nelma”**

It is noted in the Heritage referral response that “The existing property is not heritage listed, however, it was built in the early 1900s. Although, the existing building has been altered and extended earlier, the original form and scale and the original fabric, both internal and external, is still discernible, therefore, Heritage requires a detailed archival recording of the original building and its curtilage. The earlier application DA2021/2463 had been withdrawn for the subject site and it is considered that the current application will have further impacts upon the heritage values of the existing building. The existing building, built in the early 1900s, is considered as being of potential heritage significance and it is required to provide a heritage report as part of this application, that investigates the history of the site/property and assesses its significance against NSW Heritage's criterion and the impact of the proposal upon the heritage values of the building.”

We implore council to consider the historical importance of the property “Nelma” for being one of the earliest homes built in Seaforth and one of the few that’s left from the era. Despite it not being on the heritage listing, the home itself, maintained most of its original form and design for 100+years, it would be an enormous lost should an alteration of this scale to be approved.

The issues stated above are not the only concerns we have regarding this DA. The impact of this DA would not only be physical, but also mentally and emotionally impacting to all the neighbours, including the neighbour who will be moving into #171 soon. We ask Council to kindly refuse the current DA and seek modifications from the applicant, it will have a devastating impact on the privacy and amenities of the adjoining properties.

We seek to have the DA amended to remove the second floor built form and reduce the proposed heights in the DA to a compliant limit. If any Amended Plan Submission is made, and re-notification is waived again, we kindly ask to be informed immediately of those amended plans.

Kindest regards  
Xu & Yu Family  
175 Seaforth Cres, Seaforth NSW 2092