

Memo

Development Assessment

To: Development Determination Panel

Cc: Rod Piggott
Manager Development Assessments

From: Phil Lane
Principal Planner

Date: 23 February 2021

Subject: DA2020/1173 - 14 Ernest Street Balgowlah Heights

Record Number: 2021/145273

Dear Panel,

This memo is to address the submission to DDP which was submitted after the assessment report was prepared:-

Anita & Brett Christie -12 Ernest Street Balgowlah Heights

"We are concerned to the non-compliant side setback that is in full view to the streetscape, our entry, and our front private open space. This non-compliant side setback also will be fully viewed from our rear private open space.

The non-compliant side setback will cause excessive visual bulk, loss of sunlight, and increase privacy concerns due to the non-compliant separation between the dwellings.

The Panel can easily assess from the photography within our Submission that both side neighbours to the subject site have generally compliant side setbacks to DCP controls, and considerably less bulk facing the boundary.

The Panel will also note that the non-compliant building height and wall height compounds these concerns.

In order to maintain a side setback that accords with the immediate dwellings, we simply ask:

The Eastern First Floor is to have a minimum side setback of 2.05m, with the Stair, Family Bathroom, and Bedroom 2 setback 2.05m to the eastern boundary.

Reason: Streetscape, Visual Bulk, Solar Loss, Privacy, Insufficient Separation, non-complaint side setback”

Comment: The issues raised within this submission have been addressed with the assessment report for the Panel’s consideration as follows:-

- Manly Development Control Plan - 3.4.1 Sunlight Access and Overshadowing
- Manly Development Control Plan - 4.1.2 Height of Buildings (Incorporating Wall Height, Number of Storeys & Roof Height)
- Manly Development Control Plan - 4.1.4 Setbacks (front, side and rear) and Building Separation

Additionally, within the assessment report under the heading “**Notification & Submissions Received**” the following matters have been addressed:-

- East side setback
- East wall height
- Streetscape
- Overshadowing (solar access)
- Privacy
- Visual bulk