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**From:** Kathryn Bran  
**Sent:** 15/05/2024 8:05:02 AM  
**To:** Council Northernbeaches Mailbox; Dean Pattalis; Dave Bran  
**Subject:** TRIMMED: Online Submission - DA NO440/10 51 Powderworks Road North Narrabeen - Lot 34 Sec 6 DP 6462  
**Attachments:** Online Submission - Bran.pdf;

10/5/2024

Northern Beaches Council Planning Department

[council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

Attention: Dean Pattalis

[Dean.pattalis@northernbeaches.nsw.gov.au](mailto:Dean.pattalis@northernbeaches.nsw.gov.au)

Dear Sir/Madam,

**RE: DA NO440/10 51 Powderworks Road North Narrabeen - Lot 34 Sec 6 DP 6462**

Reviewing the plans submitted for 51 Powderworks road, we wish to have the plans assessed applying the council's requirements. Referencing Pittwater 21 Development Control Plan » Section C Development Type Controls » C1 Design Criteria for Residential Development; there are several areas in which the design does not meet the councils' requirements for approval as they stand.

In terms of the non-compliance, the following are outside the council's requirements,

- Building height,
- Building envelope,
- Bulk and scale, landscapes open, parking, and solar access (shadows),
- Along with view and solar loss for Lot 33 Sec 6 DP 6462 53 Powderworks Road.

We have an objection and major concern with the new roofing structure and design causing major impact of view loss and light.

For us, the neighbouring house being impacted and losing views of the ocean from our house to accommodate a design 1.8m over the council envelope will obviously be unfair and unjust.

With a different design and consideration taken this could have been avoided, the impact on us has not been considered nor were we engaged during the pre-submission phase to discuss proposed plans, which we did during our pre-submission phase.

Referencing Pittwater 21 Development Control Plan » Section C Development Type Controls » C1 Design Criteria for Residential Development see below items in detail.

### **1. Building Envelope**

The building envelope and bulk and scale is well beyond the ratio required by council with over 60% of the land being covered with dwelling.

### **2. Height of roof vs envelope**

Proposed extension of the roof to accommodate the planned kitchen and deck extension on north side will block light and view to our property and several amendments we made to our plans to address concerns raised during our advice period (reference Online submission – Lynch in documents for DA2021/1446 - 53 Powderworks Road NORTH NARRABEEN NSW 2101).

The proposed plans highlighted in red on plans (Plans - Master Set - DA11), call out the limitation of *8.6 metre limit* and yet have a proposed enclosed height of over 10.335 metre 1.835 metres above council required envelope.

The height for Lot 33 Sec 6 DP 6462 53 Powderworks Road was approved to be beyond this restriction as it did not negatively impact any neighbouring views or solar access (shadows) and was left unenclosed and set back towards the road (south) of the property rather than to the north to ensure these elements were not compromised.

The approved roof Lot 33 Sec 6 DP 6462 53 Powderworks Road was designed to be almost flat to accommodate the maximum allowed height and setback away from the yard towards Powderworks road to limit impact on neighbours (Plans – Master Set – CC13 - Lot 33 Sec 6 DP 6462 53 Powderworks Road). It looks as there has been no compromise or consideration to try and be within the 8.5m height limit requirement in the plans.

A more skilled and considerate design would have a less degree pitched roof shaped in the opposite direction and the highest point of the roof would not be the main viewpoint. If the roof proposed roof for 51 Powderworks Road North Narrabeen - Lot 34 Sec 6 DP 6462 was also set with the maximum height at the roadside, this would be less impacting on view, solar access, neighbouring impact and would meet the council's requirements.

### **3. Parking and solar access (shadows)**

The proposed works to the western aspect of the house will limit both light and view to the property 53 Powderworks road and the amendments made to the DA (DA2021/1446 - 53 Powderworks Road NORTH NARRABEEN NSW 2101) where windows, coverings and privacy were accommodated because of the online submission (Online submission – Lynch in documents for DA2021/1446 - 53 Powderworks Road NORTH NARRABEEN NSW 2101). Light to the southern aspect of the property will undermine the amendments made and limit light and view.

### **4. Proposed pool and entertaining area**

To maintain privacy between the proposed pool and entertaining area and Lot 33 Sec 6 DP 6462 53 Powderworks Road we request the fence between the two dwellings to be addressed to offer privacy and redefine borders.

As it stands today, the proposed pool will be at eye height to the lower level of Lot 33 Sec 6 DP 6462 53 Powderworks Road with limited privacy and sound protection. The fence in place today is falling and requires replacement, a new fence will be required and at this time we would like it to be on the correct boundary. The surveyors indicated the boundary plot at the most North Easterly location of our property is 1m within our property (see surveyor plans). This correction will impact the pool plans as the proposed boundary is on our registered land. The fence rebuilds and relocation to be corrected, we are happy to co-fund to accommodate.

### **5. Delivery of materials and construction**

We appreciate the difficulty of commencing construction close to a main road such as Powderworks Road. We trust and anticipate that appropriate development guidelines will be followed at the time of delivery of materials and during construction to not obstruct (other than temporarily) the view of any oncoming vehicles driving up Powderworks Road to ensure safety and visibility as we exit out of our driveway at 53 Powderworks Road.

While we respect that homeowners wish to capitalise on their blocks, there are also rules to comply with which we made every effort to maintain and thus were approved for build. We request to have the same rules applied here in this case and adjustments made to the building plan to accommodate the loss of view, solar access (shadows) and building envelope.

Having personally been through this process in the last 2 years, working with the same planners, designers, and contacts, and adjusting our plans to accommodate the rules and requirements of town planning in this council, to see this submission being considered is disappointing and lacks integrity. The designers and planners are all aware this submission is well beyond the documented requirements to comply and yet have submitted for consideration.

Regards

Kathryn & David Bran

53 Powderworks Road

North Narrabeen NSW 2101

[REDACTED]

[REDACTED]

10/5/2024

Northern Beaches Council Planning Department

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