

April 11, 2023

Julie Edwards
Development Advisory Services Team
julie.edwards@northernbeaches.nsw.gov.au
planningpanels@northernbeaches.nsw.gov.au

Dear Julie,

RE: Submission - Development Determination Panel (DDP) for determination on Wednesday, 12 April 2023
Application No. DA2022/0670 **Address:** 18 Margaret Street Fairlight

CTA GRP have been engaged by the property owner of 18 Margaret Street to provide a submission to Council regarding Condition 14 within the proposed recommendation conditions set out by Council as per their assessment report item number 3.5 of the Development Determination Panel (DDP) meeting for determination on Wednesday, 12 April 2023.

Condition 14 Privacy Screens

A 1.5 metre privacy screen (measured from finished floor level) is to be erected for the entire length of the outermost southern and eastern edge of the Ground Floor deck located off the Lounge as shown on the approved plans. The privacy screen shall be of fixed panels or louver style construction (with a maximum spacing of 20mm), in materials that complement the design of the approved development.

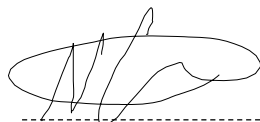
With regard to the above condition, we would the DDP to consider the following.

1. Screening of a height of 1.5m will reduce the view sharing for the property owner and will not comply with Manly DCP 3.4.3 Maintenance of Views.
2. The screening will impact the neighbouring properties in relation to Manly DCP 3.5.1 Solar Amenity to neighbouring property. The screens will increase the shadows to both neighbouring properties.
3. A condition of this nature will restrict both Sydney Harbour (South) and District views (East) for the homeowner which will have a major financial impact on the property value.
4. A condition such as this has not been recommended to any Development Application along Margaret Street and has no precedent. At current 16 Margaret shares the view along 14 Margaret rear yard, and 14 Margaret does the same with 12 Margaret.
5. The applicant is willing to increase the proposed deck setback on the southern boundary with 16 Margaret to 1220mm, this being similar to the setback of the existing deck within the rear of 16 Margaret (that has no privacy screen)
6. The rear property on Lawrence Street has minimal privacy as they have a neighbouring apartment building looking into their existing pool area and therefore have little merit that their privacy will be disturbed. The property also has a shade cloth over the rear yard which prevents our Client from viewing their property.
7. The rear fence that has plant growth will remain and act as the privacy between neighbouring properties.
8. Our client has been accommodating to Council throughout the duration of the determination period, undertaking numerous changes and further information and again is willing to make any changes to the proposed deck to elevate the need for the inclusion of privacy screens.
9. The existing fencing on both the eastern and southern boundary of the property will remain as this was requested by submission authored by Corona Projects.
10. The age, configuration, and topography of all dwellings along Margaret Street offer view sharing through neighbouring rear yards and as such should remain.

We have prepared drawings and site photos to best outline our concerns that this condition will impose on our Client.

We strongly recommend the condition be removed and the proposed deck to be conditioned to be set back 1220mm from the southern boundary and that the rear fence and existing planting to remain.

Best,



Nicholas Frier
 Director
CTA GRP
 Planning and Development Advisory

