

Doyle Consulting Group

Planning and Development Services

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27th JULY 2020

Re; Item 3.5 DA 2020/0211- 82-84 BOWER STREET MANLY

Dear Chair and Panel Members,

This letter is submitted to the Panel on behalf of the applicant and is to be read in conjunction with the letter from Jason Hones, Solicitor dated 24 July 2020.

The issue of the extent of demolition of the existing building has been examined by Ian Hemmings SC and the advice from Hemmings has been provided to Council and the Panel Members.

The purpose of this submission is to provide a response to the merit issues raised in the report prepared by Council officers.

The merit issues of the subject development on the subject site have been assessed previously by Council under the cover of several development consents and were found to be satisfactory, subject to conditions of consent.

The report currently before the Panel contains the following statements –

Development on land within the coastal use area.

The proposal will not unreasonably impact the coastal use area given the nature and location of the works within the existing building footprint.

Foreshore scenic protection area

The proposal includes the reconstruction of walls in existing/approved locations, and will not result in any material change to the appearance of the dwellings.

Sunlight access and overshadowing

The proposal will not result in any unreasonable overshadowing impacts and maintains consistency with previous assessments of the development.

Privacy and security

The wall/window locations as proposed for reconstruction are not appropriately designed for privacy.

Again, please refer to the following architectural rendition.

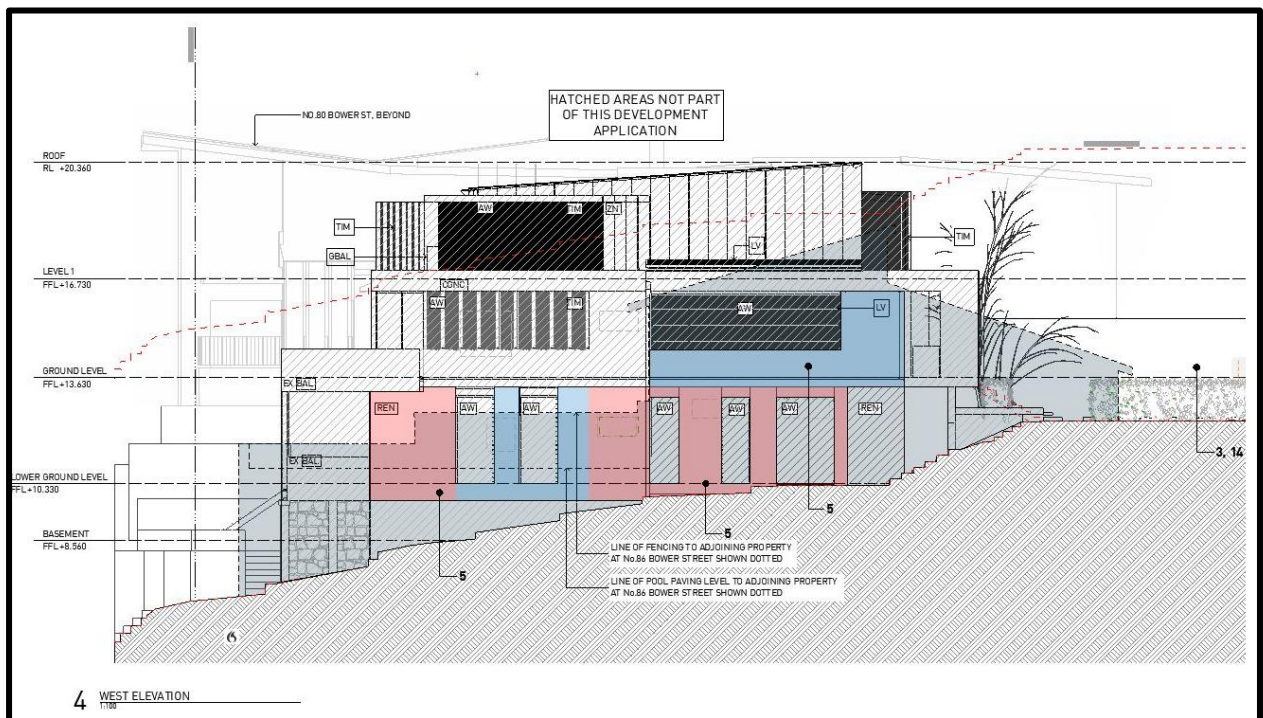
Maintenance of views

The demolished walls at a lower ground and ground floor levels are significantly below the building height control the proposal will not result in any unreasonable view loss impacts and maintains consistency with previous assessments of the development.

What are the impacts on adjoining land?

The proposed development will not result in an unreasonable view loss or overshadowing impacts, and incorporating privacy screening to the western elevation. However, the location of the existing lower ground and ground floor western walls provide minimal physical separation resulting in excessive visual bulk and greater potential for privacy impacts despite any screening devices.

Putting this in context, the following architectural rendition indicating the juxtaposition of the masonry boundary wall and the adjacent dwelling at number 86 with lower ground and ground floor western walls of the subject site clearly demonstrate the lack of unreasonable overlooking as a consequence of the proposal. It is also noteworthy that the adjacent dwelling at number 86 is constructed on a nil setback to the common boundary for approximately 50% of the length of the building. Also, the photographs on pages 198, 199 and 200 of the report illustrate the dwelling wall and dividing wall.



Architectural rendition showing lower ground floor windows substantially blocked by boundary wall with ground floor windows provided with louvred privacy screens as per development consent

To summarise, the proposal currently being assessed by the Panel does not result in an increased height, increased bulk, loss of landscaping, loss of views, increased overshadowing, increased gross floor area or impact upon the natural coastal environment above that of the approved proposal and, being for alterations and additions to existing dwellings as confirmed by Ian Hemmings SC, is worthy of consent.

Thank you for the opportunity to provide the above submission

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