
Sent: 9/02/2022 4:19:50 PM
Subject: submission - 155 Pacific Road, Palm Beach DA2021/2416
Attachments: 153 Pacific Road, PALM BEACH - submission.pdf;

Please find attached a submission with regard to the DA lodge for 155 Pacific Road, Palm Beach.

Kind regards,
Will

**William Fleming
Planner**



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8 February 2022

The General Manager
Northern Beaches Council

Attention: Adam Mitchell

**RE: DEVELOPMENT APPLICATION DA (DA2021/2416)
PARTIAL DEMOLITION AND CONSTRUCTION OF A DWELLING HOUSE, STUDIO &
SWIMMING POOL
155 PACIFIC ROAD, PALM BEACH**

1.0 INTRODUCTION

I write on behalf of the owners of 153 Pacific Road in response to the development application lodged for 155 Pacific Road. I have reviewed the submitted documentation and have a clear understanding of their concerns in relation to the subject DA.

2.0 FRONT SETBACK

The development relies on the existing siting of the dwelling and the partial retention of existing structural walls as justification for the front building line breach. The development will increase the amount of built structure within the front setback which is considered unreasonable in this instance and inconsistent with the streetscape.

While it is understood to be challenges to work around the existing structure and new structure however the majority of the ground floor at the northern end is proposed to be demolished. It is considered there is opportunity to reduce the amount of structure within the front setback to the northern end. In particular, the scale of the open plan kitchen and whether there is scope for this new element to strictly comply with the front setback control.

The proposed studio on the first floor sits within the front setback and adds bulk within the front setback. The studio western wall is aligned with the proposed new walls to the office and stairs at ground level. These are new elements and do not believe there is any special constraints that would warrant a variation to the setback control.

Council have been consistent in their approach regarding setback in that new elements to a development should be designed to meet the controls. Existing development does not necessarily justify continuing an existing non-compliance.

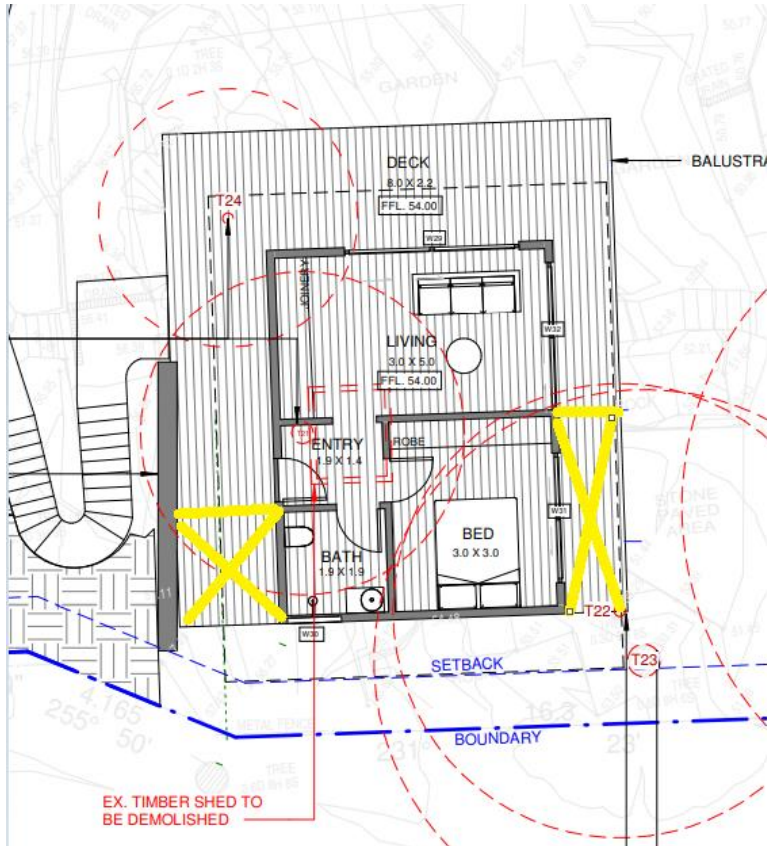
3.0 SWIMMING POOL

Concern is raised with the proposed elevated swimming pool and its ability to look down into the neighbouring property at 153 Pacific Road. Swimming pools can be a significant risk to acoustic and visual privacy and request that further privacy attenuation measures are included such as acoustically sound proofing pool plant equipment and providing improved visual privacy screening.

4.0 DETACHED STUDIO/PRIVACY/TREES

A detached studio is proposed behind the principal dwelling. The use as a secondary dwelling is not proposed and we ask that this is reinforced via a condition should the application be approved.

The studio include large areas of decking which presents increased visual privacy concerns. The deck wraps around the studio which is considered unnecessary and includes glass balustrades. No privacy treatments are included to the studio. The western side of the deck extends all the way to be inline with the southern wall of the bathroom. The deck could finish to align with the entryway wall. There is no reason it should need to extend all the way along the western elevation. Furthermore, the eastern side decking does not need to extend all along this elevation. This is deemed unnecessary and should stop at the alignment with the southern wall of the living room in order to minimise privacy impacts. The proposed deck off the living room is large and faces into the property. This area is more than suitable private open space for a 1 bedroom studio. The image below highlights the areas



Highlighted areas are considered unnecessary and increase risks to privacy. These areas should be deleted.

Several mature trees are proposed to be removed within, or in proximity to, the studio. The removal of the trees identified will further reduce privacy to 153 Pacific Road and downslope properties. While it is acknowledged that these trees are either exempt or poor health, the landscape plan does not include any replacement canopy tree in this area. It is considered that the removal of the canopy trees surrounding the studio will result in the studio becoming a dominant feature of the escarpment without any large mature native canopy trees in proximity to the studio.

6.0 CONSTRUCTION

It is requested that dilapidation reports be undertaken to 153 Pacific Road prior to construction to document the current condition of the house. The development will require significant excavation with resultant vibrations a potential risk to neighbouring dwellings.

It is requested that condition be placed on the consent to notify neighbours of upcoming earth works or rock breaking at least 36hours before undergoing the works.

7.0 CONCLUSION

It is my clients' submission that the proposed works at 155 Pacific Road are unreasonable due to the significant non-compliance with the front setback control as well as privacy impacts.

Please don't hesitate to contact me should you have any questions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'William Fleming', with a stylized, cursive script.

William Fleming
BOSTON BLYTH FLEMING
BS, MPLAN