

Our ref: 2020-020
Council's ref: DA N0478/17

14 July 2020

The General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655



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Dear Sir/ Madam,

RE: SECTION 4.55(1A) MODIFICATION APPLICATION LODGEMENT – ALTERATIONS AND ADDITIONS TO DWELLING AND CONSTRUCTION OF SECONDARY DWELLING, APPROVED DA N0478/17
Lot 106 DP 752046, No. 43 Attunga Road, NEWPORT

Please refer to the attached section 4.55(1A) Minor Modification Application to approved DA N0478/17. This is for the approved Alterations and Additions to Dwelling and Construction of a Secondary Dwelling at No. 43 Attunga Road, NEWPORT.

The following documentation and plans constitute this modification application:

- Application information submitted on the NSW Planning Portal in electronic submission of this modification application,
- Signed Owners Consent letter from the site owners and our clients Gary and Dianne Allen,
- Amended Architectural Plan Nos. DA03 and DA07, Rev: C, Dated: July 2020 and prepared by All About Planning with the proposed minor amendments highlighted,
- This modification lodgement covering letter.

Only the following minor amendments are proposed in the subject s4.55(1A) Modification (as detailed on the attached amended architectural plans and the plan extracts provided later figures 2 and 3):

- Deletion of condition C8 (in relation to the reduction in size of the primary dwelling approved level 2 rear deck),
- In association with the above, the extension of the approved eastern 3m high privacy screen to the full depth of the primary dwelling level 2 rear deck.

All other aspects of the approved development are to remain unchanged and will proceed as approved in DA N0478/17.

Discussion

The subject proposed modifications are submitted on the following basis which justify support for the application being given:

- The proposed modifications are a minor change to the approved development which will arguably ensure that the development (as amended) will remain substantially the same development as that originally approved,

- The now proposed full depth extension of the eastern 3m high louvred privacy screen will protect both the visual and aural privacy of the neighbours to the immediate east of the subject site,
- As shown in the site photograph provided below, the above mentioned adjoining property to the immediate east has its own entertainment area/ deck which has the same rear alignment as the subject level 2 rear deck on the site. This adjoining entertainment area also has a full height existing timber shutter privacy screen facing the subject site,
- the above entertainment area on the adjoining property to the east will be approx. 800mm higher than the above proposed deck on the subject site, (in addition to the above mentioned same rear alignment) thereby further reducing the impacts of any potential privacy concerns,
- any remaining overlooking potential from the subject proposed deck above the garage on the site to the adjoining property to the east, will arguably remain less than the existing overlooking opportunities to the subject site afforded from the existing lower terrace level on this property (which has a rear alignment just over 5m beyond the proposed deck),
- the existing screen planting located adjacent to the eastern boundary of the subject site, just south of the existing rear alignment of the primary dwelling, will be replaced with 3 – 5m high Lillypillys screening hedge as detailed on the approved landscape plans,
- the primary orientation of both the subject site and the adjoining property (to the east) is to the southern and south eastern expansive views of the Pacific Ocean, Newport Beach and beyond, not to the adjoining properties again thereby reducing the impacts of any potential privacy concerns.



Figure 1: Photo of existing rear elevation of primary dwelling on subject site & the greater rearward alignment of both adjoining properties

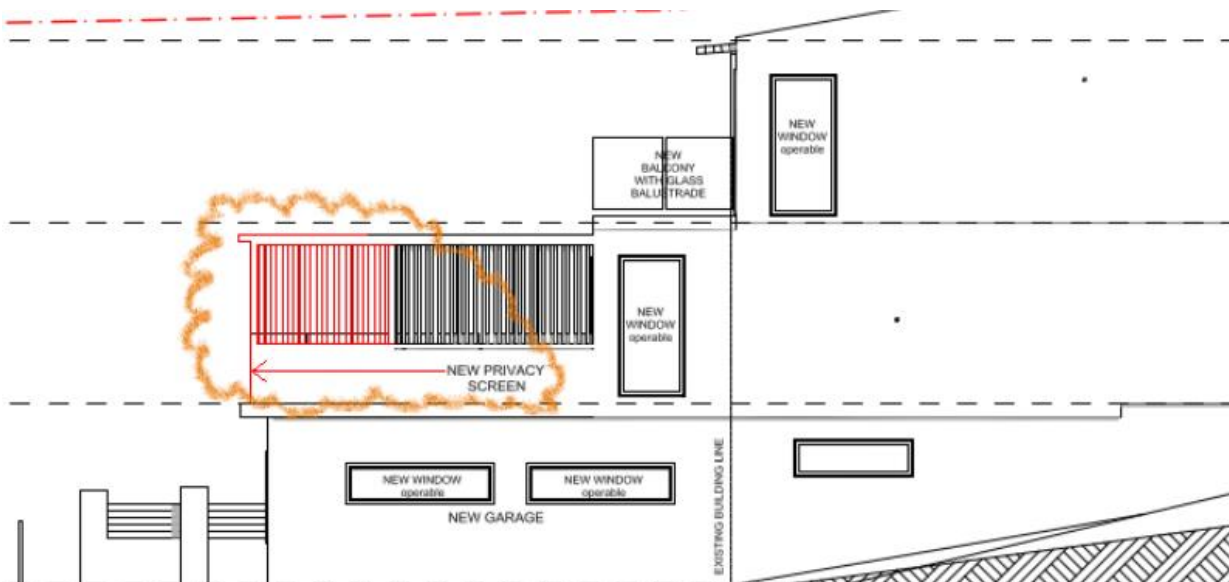


Figure 2: Extract from submitted s4.55(1A) Modification Plans – Eastern Elevation, with amendment highlighted

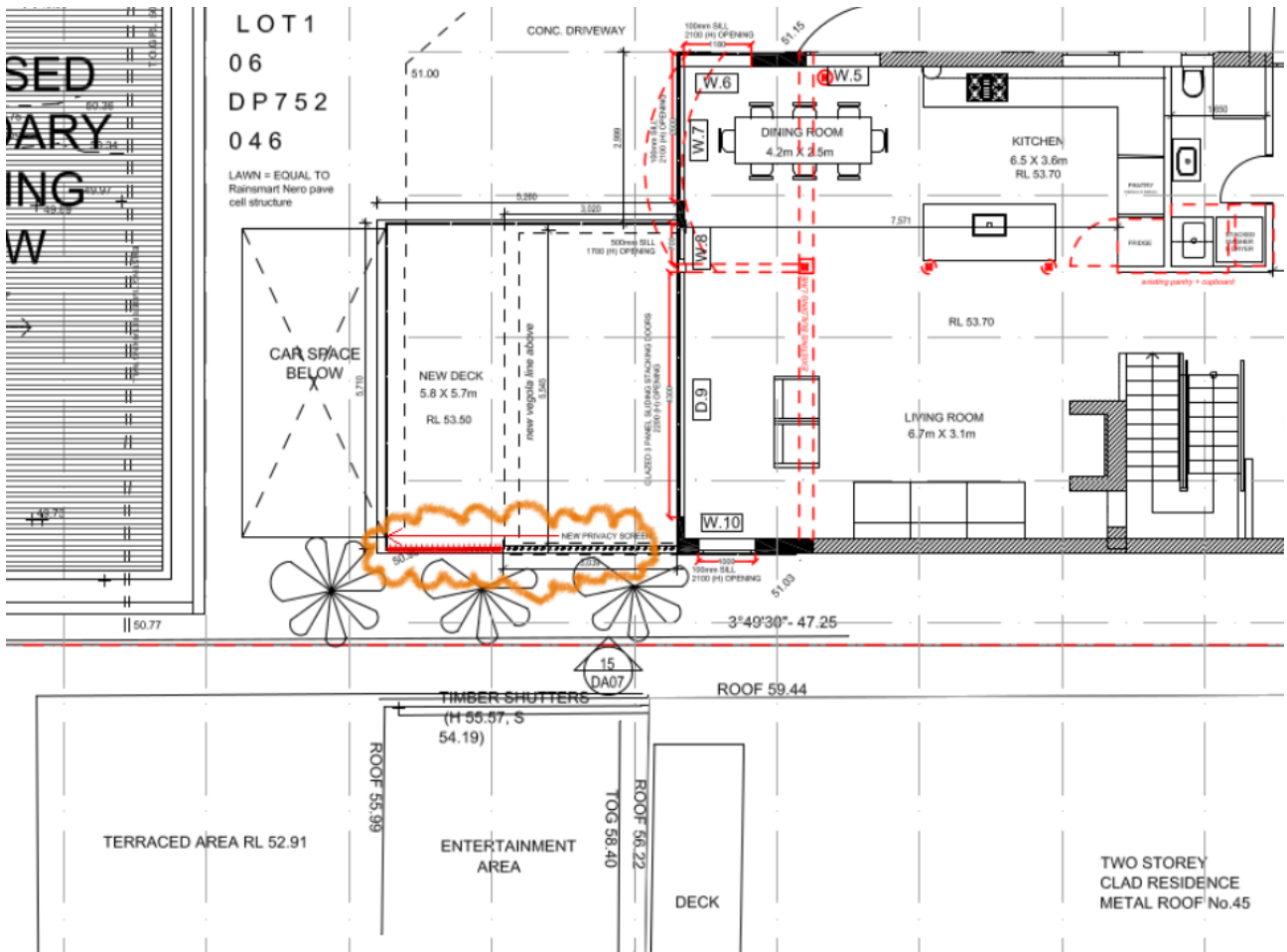


Figure 3: Extract from submitted s4.55(1A) Modification Plans – Level 2 Floorplan with subject amendment highlighted and detailing greater rear alignment of adjoining property to the east.

In light of the above, particularly the minor nature of the proposed modifications, the characteristics of the development in relation to the adjoining development and the lack of environmental and amenity impacts on the adjoining property, the subject 4.55(1A) modification is recommended for Council approval.

We appreciate Council's work in processing the subject modification application. Should you have any enquiries concerning any aspect of the above, please do not hesitate to contact Michelle or I.

Yours sincerely,

 Peter Chapman
 Bachelor Urban & Regional Planning
 Graduate Diploma Environmental & Local Government Law
 MPIA, Certified Practising Planner
 Director

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