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To: DA Submission Mailbox
Subject: Online Submission

01/02/2022

MR Ian Philip
210 / 2 Laguna ST
Vaucluse NSW 2030

RE: DA2021/2416 - 155 Pacific Road PALM BEACH NSW 2108

Subject: DA 2021/2416. 155 Pacific Rd Palm Beach

Attention Mr Adam Mitchell

Dear Sir

I am writing in relation to the proposed development at 155 Pacific Road, Palm Beach (DA 2021/2416).

I am the Secretary and a Director of Hawave Pty Ltd that is the owner of 161 Pacific Road, Palm Beach, being the neighbouring property to the North-West.

I wish to object to the above proposed development as currently documented for the concerns set out below. I note that neither the owners nor their consultants, made effort to contact me to discuss the proposals. My objection is based on the issues noted below:

Issues:

1. Main residence - Privacy:

I. The proposed development extends the main residence significantly to the North and North-West, the proposed edge of the deck being moved 5 metres to the North. The North-Western wall and proposed ground floor deck being in line with ('touching'), and extending 2 metres past, the tree T6 (proposed for removal). The size of the extension creates a very long 17 metre living space (combining kitchen, living and deck space) which is almost double the existing 9 metre long living space. This will also put the development within 9 metres of our property.

II. While it may be common practice to extend properties (i.e. in this case, towards the ocean) to a line similar to neighbouring properties, the elevation of the proposed ground floor (at RL68.06), which is well above our roof height (RL66.29), creates direct oversight over our existing small deck. This is our only outdoor living space through which we have enjoyed use and privacy for over 40 years.

III. Plan reference Section A-A shows the height of the Proposed Ground Floor to be above the height of our roof line, with the proposed deck touching the tree (T6) identified in the photo below, and extending past this. The deck will extend out to a line similar to our property and it is clear from the photo that persons standing on that deck will look over the edge of our house onto our deck space.

IV. The photo below (refer next page for included photo) from our veranda shows our estimate of the location of the proposed deck against existing tree T6. Based on the height of the proposed ground floor, and the plan to push the building to a point touching tree T6, this deck, and the adjacent proposed window (W17), will look over the top of our property and will be able to look directly down on to our existing veranda diminishing our private usage and enjoyment of our property.

V. Further, we note the dominant view of most properties in the vicinity is towards the ocean.

The current proposal also seeks to obtain secondary (almost) North Westerly to South Westerly views across our property through full height opening/retractable windows at W18 (this is evidenced by the continuation of the waist-height glass barrier). Window W18 will overlook both our front (Pacific Road side) garden area and house.

VI. These windows W17 and W18 will give rise to both privacy, noise (being the main living space and kitchen) and light pollution issues.

VII. We ask the Council to direct the owners to erect indicator site poles (vertical and horizontal) at the relevant boundaries to demonstrate the position, and proposed elevation/height of the deck and the height of the proposed pergola, and windows W17 and W18. We also request Council to inspect the impacts of the loss of privacy once these are erected.

2. Proposed Studio:

I. We are concerned that the proposed studio may be used as an additional short-term dwelling, noting this could easily have additional kitchen facilities added in its living space.

II. Given that this studio sits surrounded by existing, long standing, neighbouring dwellings, this studio should be subject to enforceable restrictions over rental/Air B&B type use.

III. The studio also has full size glass doors opening onto a large deck space on both the North-East (dominant view) and North-West (secondary outlook facing towards 161 Pacific Road).

IV. We note we will look directly into the North-Westerly window W29, and the opening of this window/door will give rise to noise, light and privacy issues. A smaller, higher (opaque) window will allow light and breeze (air flow), and reduce these issues.

3. Noise - Mechanical:

I. It is not clear where any air-conditioning mechanical motors will be placed (if installed) on the main dwelling and separate studio. We are concerned this may be an omission. The proposal should identify where these are to be placed, which should be positioned centrally and away from neighbouring properties, and we note these should be in a 'sound-proofed' plant room.

4. Tree removal

I. We note a large tree was removed in Winter 2021 next to the inclinator station adjacent to the proposed main dwelling (approx. 5 metres below the existing car port). We believe this should be taken into consideration in assessing the plans and removal of the 10 trees.

Please contact me via email (and please cc additional emails below) if you require additional information and to discuss these issues.

Your faithfully

Ian Philip [REDACTED]
Secretary and Director of Hawave Pty Ltd (owner 161 Pacific Road, Palm Beach)

Richard Philip [REDACTED]
Fiona Hersov [REDACTED]

