

VIEW SHARING ASSESSMENT

75 THE CORSO & 42 NORTH STEYNE, MANLY

A view sharing assessment has been undertaken as a result of the proposed development, to consider the potential impact of existing views that are enjoyed from the property to the west of the site at 9-15 Central Avenue, Manly, on the opposing side of Henrietta Lane. A detailed survey of the openings and private open space areas was undertaken by LTS Lockley to identify these attributes at 9-15 Central Avenue, which have then been used to demonstrate the impact on any existing views, both where there are gains and losses, across the subject site, as a result of the proposed development. These impacts have then been considered in the context of the planning principle derived by the NSW Land & Environment Court in relation to view sharing as identified in the [Tenacity Consulting v Warringah Council \[2004\] NSWLEC 140](#) case (Tenacity).

The premise on which each of the images has been prepared is as follows:

- Studies have been undertaken at the south-eastern end of 9-15 Central Avenue, and include Levels 3-8
- The floor level has been surveyed in each case and is taken from the underside of each balcony
- The camera view level is positioned at 1.8m from the underside of the balcony slab, which is 200mm in depth, thus providing a viewing height of 1.6m, which is a standard eye height, in a standing position.
- The potentially affected views are in an easterly and south-easterly direction
- Each of the images shows the existing and proposed situation for comparative purposes.
- All internal views are assumed to be from a habitable room.

Conclusions

Of the affected apartments at the southern end of the adjoining building, only one apartment could be said to be affected above minor status, with the majority of views impacted being of a negligible nature. In many cases, there is an improvement over the existing situation, due to the removal of existing plant and equipment that proliferates the existing view corridor. The design proposed establishes a more cohesive appearance to the waterway thus providing a greater level of visual consistency and appreciation of the waterway, headland and land-water interface.

The most affected apartment, located on Level 5 (Location 5), while experiencing some level of view loss, will also achieve an increased level of view. On balance, these improvements result in a lesser degree of overall impact over the existing situation that would not be materially improved by a more skillful, or compliant design, particularly given the existing built form. On this basis, the application is acceptable in relation to the principles of view sharing.



STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
26 <i>The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</i>	The view to be impacted is of existing tree tops above the height of the existing building. There are no water views from this location.
27 <i>The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</i>	The view is from the external balcony, looking in an easterly direction and a habitable living area, looking south-east. The views are assumed in a standing position. The view is from the front of the property.
28 <i>The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</i>	The view loss is considered to be negligible on the premises that there would be no loss of water view and only a minor loss of existing tree tops.
29 <i>The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</i>	Given that the proposed development does not affect a highly valued view of the waterway, or land-water interface, and the impact is negligible, while the impact of view loss is increased as a result of the proposed building form over the existing situation, a more skilful design would not enhance the availability of the view to elements that have limited significance.



STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
26 <i>The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</i>	Aside from the existing building envelope there is no valued view from this location. There are also no water views from this location.
27 <i>The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</i>	The view is from the external balcony, looking in a south-easterly direction The views are assumed in a standing position. The view is from the front of the property.
28 <i>The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</i>	There is no view loss from this property as a result of the proposed development.
29 <i>The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</i>	The proposed development, when viewed from this location, is entirely reasonable.



STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
26 <i>The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</i>	The view to be impacted is of existing tree tops above the height of the existing building. There are no water views from this location.
27 <i>The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</i>	The view is from the external balcony, looking in an easterly direction and a habitable living area, looking south-east. The views are assumed in a standing position. The view is from the front of the property
28 <i>The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</i>	The view loss is considered to be negligible on the premises that there would be no loss of water view and only a very minor loss of existing tree tops, which is negligible in an urban context.
29 <i>The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</i>	The proposed development, when viewed from this location, is entirely reasonable.



STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
26 <i>The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</i>	<p>The view to be impacted is of existing tree tops above the height of the existing building, along with a flagpole.</p> <p>There are no water views from this location.</p>
27 <i>The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</i>	<p>The view is from the external balcony, looking in an easterly direction and a habitable living area, looking south-east. The views are assumed in a standing position. The view is from the front of the property.</p>
28 <i>The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</i>	<p>The view loss is considered to be negligible on the premises that there would be no loss of water view and only a minor loss of existing tree tops. The increased building height is the depth of the parapet return and would go unnoticed.</p> <p>Where the width of the building has been extended in a southerly direction, from the living room, this would mean a loss of view of the flagpole and from the balcony, a loss of view of treetops. Again, this loss is considered negligible in an urban context.</p>
29 <i>The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</i>	<p>Given that the proposed development does not affect a highly valued view of the waterway, or land-water interface, and the impact is negligible, while the impact of view loss is increased as a result of the proposed building form over the existing situation, a more skilful design would not enhance the availability of the view to elements that have limited significance on context.</p>



STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
<i>26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</i>	The view to be impacted is of existing trees, along with a water view, including a land water interface view from the living area and the balcony of this dwelling. The view is proliferated by ad hoc structures that are located predominantly above 42 North Steyne and partially impede the view corridor. The view is also partially impaired by the lower sections of trees along Ocean Promenade.
<i>27 The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</i>	The view is from the external balcony, looking in an easterly direction and a habitable living area, looking south-east. The views are assumed in a standing position. The view is from the front of the property.
<i>28 The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</i>	<p>The proposed development as it relates to this property is moderate – severe. The loss would be considered severe where the proposed built form encloses the view above 41 North Steyne. However, this loss must be offset against the gain in view that will be availed from the living area of this dwelling, which is opened up by the removal of ad hoc structures that are currently located atop 42 North Steyne. This will result in a level of improvement to the view, that then allows for a more uniform consideration of the view from the living room of this property, as opposed to this being proliferated with ad hoc structures.</p> <p>Similarly, the loss of view from the balcony that is currently available across 41 North Steyne would be considered severe. However, this loss must again be offset by the increased view that will avail this balcony area through the reduction on built form and structures that proliferate the existing rooftop of 42 North Steyne, which open up the view that is currently obstructed by these. This results in some of the view which is currently lost, being opened up.</p>
<i>29 The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</i>	The proposed development, when viewed from this location, is reasonable on balance and given the overall visual improvements that are achieved that result in a skilful design outcome.



STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
<i>26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</i>	The view to be impacted is of part of the existing headland, along with a water view. The existing view is proliferated by ad hoc structures and building elements that protrude above the principal building form predominantly above 42 North Steyne and partially impede the existing view corridor.
<i>27 The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</i>	The view is from the external balcony, looking in a south-easterly direction. The views are in a standing position. The view is from the front of the property.
<i>28 The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</i>	The proposed development as it relates to this property represents a nett improvement over the existing situation as a result of the removal of ad hoc structures and protruding building elements. There is an increased view of the land-water interface as a result of the lower parapet height of the proposed building form.
<i>29 The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</i>	The proposed development, when viewed from this location, is entirely reasonable as it results in a nett benefit over the existing situation.



STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
<i>26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</i>	The view to be impacted, due to being higher up in the adjoining building is of both the waterway and the headland, as well as the land-water interface towards Shelley Beach. The existing view is proliferated by plant that protrudes, at scale, above the principal building form predominantly above 42 North Steyne and partially impedes the existing view corridor.
<i>27 The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</i>	The view is from the external balcony, looking in an easterly direction and a habitable living area, looking south-east. The views are assumed in a standing position. The view is from the front of the property.
<i>28 The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</i>	<p>The proposed development as it relates to this property represents a nett improvement over the existing situation with the removal of plant located on the top of the building, thus providing a minor increase to the view of the water.</p> <p>There is a minor loss of view as a result of the southern section of the proposed building envelope. This loss is not of the land-water interface, nor of the more leafy elements of vegetation, with only the trunk forms being depleted in part. While there may be some change in the visual appearance, it is not considered a loss of view, with only a minor reduction in the view of water; the improvement by the removal of plant is considered a more significant outcome as this opens up the view and removes an offensive structure that otherwise blocks the view in this direction.</p>
<i>29 The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</i>	Given the improvement to the view that is achieved by the removal of structures and what can only be considered a minor loss of view, with the most significant proportion of this being retained, the overall loss is considered to be negligible.



STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
<i>26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</i>	The view to be impacted is a water view. The existing view is proliferated by ad hoc structures and building elements that protrude above the principal building form predominantly above 42 North Steyne and partially impeding the existing view corridor.
<i>27 The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</i>	The view is from the external balcony, looking in a south-easterly direction. The views are in a standing position. The view is from the front of the property.
<i>28 The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</i>	<p>The proposed development as it relates to this property represents a partial nett improvement over the existing situation as a result of the removal of ad hoc structures and protruding building elements. There is an increased view of the waterway as a result of the lower parapet height of the proposed building form.</p> <p>There is a minor loss where the proposed south-eastern corner of the building is located; however, this is representative of a very minor loss of the waterway that may still be enjoyed holistically from this location.</p>
<i>29 The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</i>	Given the improvement to the view that is achieved by the removal of structures and what can only be considered a minor loss of view, with the most significant proportion of this being retained, the overall loss is considered to be negligible.



STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
<p>26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</p>	<p>The view to be impacted, due to being higher up in the adjoining building is of the waterway. The existing view is proliferated by plant that protrudes above the principal building form predominantly above 42 North Steyne and partially impedes the existing view corridor.</p>
<p>27 The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</p>	<p>The view is from the external balcony, looking in an easterly direction and a habitable living area, looking south-east. The views are assumed in a standing position. The view is from the front of the property.</p>
<p>28 The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</p>	<p>The proposed development as it relates to this property represents a minor nett improvement over the existing situation with the removal of plant located on the top of the building, thus providing a minor increase to the view of the water.</p> <p>There is a minor loss where the proposed south-eastern corner of the building is located; however, this is representative of a very minor loss of the waterway that may still be enjoyed holistically from this location.</p> <p>On balance, the improvement by the removal of plant is considered a more significant outcome as this opens up the view and removes an offensive structure that otherwise blocks the view in this direction.</p>
<p>29 The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</p>	<p>Given the improvement to the view that is achieved by the removal of structures and what can only be considered a minor loss of view, with the most significant proportion of this being retained, the overall loss is considered to be negligible.</p>

STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
<p>26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</p>	<p>The view to be impacted, due to being higher up in the adjoining building is of the waterway. The existing view is proliferated by plant that protrudes above the principal building form predominantly above 42 North Steyne and partially impedes the existing view corridor.</p>
<p>27 The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</p>	<p>The view is from the external balcony, looking in a south-easterly direction. The views are assumed in a standing position. The view is from the front of the property.</p>
<p>28 The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</p>	<p>The proposed development as it relates to this property represents a minor nett improvement over the existing situation with the removal of plant located on the top of the building, thus providing a minor increase to the view of the water.</p> <p>There is a minor loss where the proposed south-eastern corner of the building is located; however, this is representative of a very minor loss of the waterway that may still be enjoyed holistically from this location.</p> <p>On balance, the improvement by the removal of plant is considered a more significant outcome as this opens up the view and removes an offensive structure that otherwise blocks the view in this direction.</p>
<p>29 The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</p>	<p>Given the improvement to the view that is achieved by the removal of structures and what can only be considered a minor loss of view, with the most significant proportion of this being retained, the overall loss is considered to be negligible.</p>

STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
<p>26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</p>	<p>The view to be impacted, due to being higher up in the adjoining building is of the waterway and the land-water interface of Manly Beach.</p>
<p>27 The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</p>	<p>The view is from the external balcony, looking in an easterly direction and a habitable living area, looking south-east. The views are assumed in a standing position. The view is from the front of the property.</p>
<p>28 The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</p>	<p>From the living area, there is a minor loss of view, as a result of the south-eastern corner of the building, of the interface between land and water; however, the water view is retained as is the balance of the land-water interface view further south from the edge of the proposed building.</p> <p>From the balcony, there is a minor improvement of the view due to the removal of plant, of the waterway and a undiscernible loss of the land water interface, where the south-eastern corner of the proposed building is located. The overall loss is considered negligible to minor on balance.</p>
<p>29 The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</p>	<p>The overall loss of view of the land-water interface is considered to be negligible given the extent of such view that is retained despite the proposed development.</p>

STEP/PRINCIPLE	ASSESSMENT OF PROPOSED DEVELOPMENT
<p>26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</p>	<p>The view to be impacted, due to being higher up in the adjoining building is of the waterway and the beach itself, along with the promenade of Manly Beach.</p>
<p>27 The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</p>	<p>The view is from the external balcony, looking in a south-easterly direction. The views are assumed in a standing position. The view is from the front of the property.</p>
<p>28 The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</p>	<p>There is a minor loss of view of part of the walkway and beach area; however, the land-water interface and waterway are maintained.</p>
<p>29 The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</p>	<p>The overall loss of view of the land-water interface is considered to be negligible given that the sections of the view that are retained allow for the holistic appearance of the view to be appreciated from this location.</p>