
Sent: 9/03/2021 1:17:40 PM

Subject: ATTENTION NICK KEELER Objection to MOD 2021/0002 Unauthorised
Storage Unit 13 Vista Ave ,Balgowlah Heights

Attachments: Objection (003).pdf;

Subject: Objection to MOD 2021/0002 Unauthorised Storage Unit 13 Vista Ave ,Balgowlah Heights

Dear Mr Keeler,

I am the other owner of [11 Vista Ave, Balgowlah Heights](#) and I concur with my wife's objection and would also like to strongly object to the storage unit being built on our boundary without our consent or council approval and request that council order it's removal due to negative impacts on our solar and visual amenity ,the negative impact on our home, the negative impact on our garden, the negative impact on the streetscape and the non-complying nature of this structure in every aspect from height ,distance from boundary and the fact that they are storage units in the front yard not rear.

I am perplexed as to how a modification of Development Consent can be applied for as this structure has already been built without council approval and subsequently refused by The Northern Beaches Council. A Building certificate application was submitted BC2019/0197-this certificate was refused and we were notified by The Northern Beaches Council on the 16th December 2020 that an order has been served for the demolition of this structure. Now another application has been submitted for a structure that has already been refused by council-how is this possible ?

As you can see from the photos below the plans submitted do not illustrate the enormity of the impact this huge structure has had on our home .





As Erin stated ,the infill from the natural ground level of our property to the underside of the carport eave is 2.94 m at the eastern end increasing to 3.49 m at the western end, giving it an average height of 3.165 m. On top of this is the roof of the garage so the total height of the mass viewed from our property would be in excess of 4 m. The length of the structure is 9.6 m. I believe the maximum height allowed in the NSW for a side fence is 1.8 m -whilst this is not a fence it exceeds the height

limit set by NSW government for fences/garden sheds/storage, by over 50% in areas .It is also built on the boundary not 900mm from the boundary as required .It is non complying in every way.

This 3.165m(average) x 9.6m structure resembles a warehouse and has had a significant negative impact on our garden. We have been residing in our home for 23 years .Growing and developing our well established garden and lawn .Over that time frame we have spent thousands of dollars planting and maintaining our garden .Now our once sunlit garden has had a significant reduction in sunlight due to “the warehouse” on our boundary and is constantly shaded .Our plants are suffering from this loss of light -we have already lost a few plants. Plus our once sunny warm inviting garden is now shadowed and cold .



The shadowing and lack of sunlight is evident in the above photo.

We have also had a significant negative impact from this structure in relation to the dampness of our home .After all the substantial rain we have just received-our front room which now receives a significant reduction in sunlight due to the excessive height and length of the structure on our boundary ,for the first time in 22 years has a damp smell after the rain .Our front room is also a lot colder due to the reduction in sunlight filtering through.

Whilst we can appreciate a dollar value cannot be ascertained we feel that our home’s value has been reduced by having this ugly warehouse structure pictured below on our boundary. No other home in Balgowlah Heights to my knowledge has such a huge storage unit built on their front side boundary .The visual impact of this huge 9.6m structure is quite confronting and extremely unsightly and off putting. Having a “warehouse” on our boundary has ruined the whole look of our garden that we have spent 22 years developing and caring for and I feel that this ugly structure unfortunately must have had a detrimental impact on the price of our home. It would be impossible

for this huge ugly structure not to have had a negative impact on our home's value.

The storage structure also has had a negative impact on the streetscape of a street. No other home in the neighbourhood has 3 metre high storage or garden sheds in their front yard .I believe NSW State Government Planning Policy states that all sheds or storage must be located behind the building line in the backyard, be lower than 2.4m, be set back a minimum of 900mm from each boundary and if it is located adjacent to another building not interfere with the entry or exit from that building. This structure does not comply with any of these points.

Having been a rate payer in Balgowlah since 1991 we have many friends and family in the area who regularly drive or walk down Vista Ave and visit our home .They are all questioning how [13 Vista Ave](#) is allowed to build such a huge structure without council approval.I feel this blatant disregard of rules is sending a bad message and setting an extremely bad precedent that you can build whatever non complying structure you want after you get your occupancy certificate and get away with it .

As stated earlier ,due to the negative impacts on our solar and visual amenity ,the negative impact on our home, the negative impact on our garden, the negative impact on the streetscape and the non complying nature of this structure in every aspect from height ,distance from boundary and the fact that they are storage units in the front yard not rear we ask that council please carry out a site inspection and put in process what is required to have the unapproved storeroom removed and the boundary fence reinstated.

Thankyou for your consideration of this matter.

Regards

Kean Booker

[11 Vista Ave](#)

[Balgowlah Heights](#)

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