
Sent: 8/09/2021 5:53:55 PM
Subject: Response to DA at 143 Balgowlah Road
Attachments: PastedGraphic-1.tiff; Submission re DA 2021 1355 143 Balgowlah Rd.pdf;

Hi Penny,

Please find attached my response detailing my concerns to the planned DA at address 143 Balgowlah Road, Balgowlah.

I am around so please feel free to contact me should you need clarification.

Take Care,

Janine Benson
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Janine Benson

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8 September 2021

By Email

Penny Wood
Planner
Development Assessment
Northern Beaches Council

Email: penny.wood@northernbeaches.nsw.gov.au

Copy: council@northernbeaches.nsw.gov.au

Re: DA 2021/1355 143 Balgowlah Rd, Balgowlah 2093

Dear Penny,

Thank you for extending the timeframe for submissions regarding the above DA. I am the registered owner and resident at 145 Balgowlah Rd, Balgowlah, 2093 immediately adjacent to the subject property. As discussed, I have a range of concerns relating to the proposed development, but due to Covid and the short timeframe for submissions I have not been able to secure the services of a professional town planner or other adviser. I trust that the following matters will receive due consideration even if not couched in the correct terminology.

The proposal obviously provides for a significant increase in occupancy, with each of the properties having 4 bedrooms proposed – a total of 8 bedrooms. Although this causes me concern in terms of the potential number of residents generally, I will focus on the impact of the proposed property immediately adjoining my property as that has the greatest physical impact on my property.

Clause 3.4 - Amenity (Views, Overshadowing, Overlooking/Privacy, Noise). One of the objectives of this clause is to protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties. I submit that the proposed development fails this objective, largely as a result of the proposed 4th bedroom at the back of the property. I believe this will impact my property negatively.

The following outlines my general concerns regarding the proposed development:

1. Privacy and Security

The 4th bedroom at the back of the property is significantly further back than the back building line of my house *and* of the dual occupancy property next to me at 147 Balgowlah Rd. As a precedent for a dual occupancy development, 147 Balgowlah Rd indicates that it is possible to do so without extending the back building line beyond that of my property. I have not had any issues relating to privacy resulting from the conversion of 147 Balgowlah Rd into a dual occupancy. I would submit that the addition of a 4th bedroom as proposed will cause a significant loss of privacy and amenity in relation to my property.

Further, a balcony is proposed that further extends the 4th bedroom. This bedroom will substantially overlook my backyard where I have just installed a pool and private outside

area. In an attempt to preserve my privacy I installed a bamboo barrier, but the residents of the subject property have previously complained and required that it be trimmed significantly. I am therefore very concerned that the extension of the existing building line beyond my building line will further impact my privacy in the backyard. It has been submitted by the applicant that the dimension of these balconies is such that they are not conducive to outdoor entertaining, but it is obvious that the addition of a balcony will only encourage usage that will generate further noise and loss of privacy given its location overlooking my pool and backyard.

The proposal also provides for various windows to the 3rd and 4th bedrooms at the back of the property, which should be properly glazed and otherwise restricted for privacy and noise reduction. In the event that any of the ground floor windows also overlook my property I would ask that they also be properly glazed for privacy.

2. Overshadowing

The shadow diagrams submitted with the application show that the morning sun, the most precious to me as it is when I use the backyard area the most, is significantly impacted by the 4th bedroom and balcony area that is set further back than my building line. It is important to note that I designed my outdoor area specifically to take advantage of the morning sun, with a shelter built to protect from the heat and danger of the sun during the middle of the day. Retaining solar access outside of the morning hours only will significantly impact my use and enjoyment of my backyard area as I will be shaded from the sun at those times as intended.

3. Setbacks and Size

A setback of between 1.7m and 1.88m is required to the side boundaries, whereas the proposal provides for setbacks of only 0.9m from the ground floor level. This exacerbates the privacy and security concerns outlined above. Of significant concern is the sliding/French doors on the side of the bottom floor for the dining/living area. This will encourage significant use of the reduced side access area as well as permit greater noise to impact my property if they are left open. I would ask that there only be one entrance/exit to the living/dining area at the back of the building and that the side area have windows for light only if required, preferably glazed wherever they overlook my property.

In addition to the non-compliance on setbacks, I believe there is also a boundary encroachment relating to the existing fence between my property and the subject property. I would ask that any approval granted ensure that all boundaries between the properties are properly respected and restored.

4. Parking

The proposal provides for 2 parking spaces for each dwelling, which includes 1 stacked one on the grade space between the carport and street for each dwelling. I submit that this will result in an adverse impact on the street parking, which is already severely compromised by the number of residents and businesses in the immediate area. It is rare to see any cars parked in a line in existing driveways/carports on the street as doing so is generally perceived as inconvenient. In most instances, including the current situation with the residents of the subject property, any additional cars beyond the first one are usually parked on the street even though there is room for them in the driveway/carport.

Further, given the proposed properties have 4 bedrooms each, it is quite possible that there will be more than 2 cars per property which will exacerbate the issue further. Visitors can rarely park close to my property at the moment, and adding a significant number of new residents in a total of 8 bedrooms will make it even more difficult.

Even if the at grade space is used for a second car, reversing out of driveways on Balgowlah Rd is already difficult and dangerous given the high usage, especially on weekends due to the proximity of major shops like Bunnings, Harvey Norman and Woolworths.

Geotech

Having just installed an in-ground pool, I am concerned that any excavation along the boundary line may have an impact on the integrity of my pool.

LEP Clause 4.1 Minimum Lot Size

The proposal seeks approval for the subdivision of the property to permit dual occupancy despite the fact that the subdivision results in a non-compliance with the minimum lot size specified in the Manly LEP. Although only a 5 sqm difference to the minimum, the fact that the proposal calls for a 4 bedroom house should be considered. A 3 bedroom house may be more appropriate given the size of the land.

Thank you for considering the above in your deliberations. If you require any further detail or would like a site visit, please do not hesitate to contact me.

Yours sincerely,

Janine Benson