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Subject: Online Submission

26/07/2020

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FRENCHS FOREST NSW 2086
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RE: DA2020/0734 - 11 Bimbadeen Crescent FRENCHS FOREST NSW 2086

Thank you for the opportunity given to us to make a submission.

Whilst the need for a growing family requiring the extension to the property is well-understood, the proposal is very disappointing for us as we always had a great open view to Wakehurst district through our backyard and the proposed additional level will significantly block our view. The view loss issue is significant given the direction of additional floor proposed to be along north-south direction blocking our view to the utmost. The issue has been exacerbated by the proposed height exceedance.

Looking into the Statement of Environmental Effect, it indicates the height exceedance 1.27m. The report indicates that:

"A flat roof could be provided to achieve numerical compliance, however, such would appear disjointed and lack architectural expression."

Also, it is indicated that:

"The non-compliance has not given rise to adverse impacts, which would affect neighboring amenity and it is noted that there are no rear adjoining residential properties which could be adversely affected by the height non-compliance."

The statement above is incorrect with respect to the no impact on the property at the rear. The proposal will have a significant impact on the view loss. The statement of Effect report has not provided an assessment on the view loss of the property at the rear and the only justification for not complying with the height limit has been based on the architectural design.

We have consulted with an independent architect and received the advice that based on the Land and Environmental Court Principles, View Loss is one of the assessment items to be considered as part of the application and it should be minimised.

There is no information provided on the materials and colours. It should be considered that given the sloped nature of the area, and our building being located on higher levels, the material should be chosen in a way to minimise the visual impacts. Any sunlight reflection should be avoided by choosing appropriate roof material.

Please note that we are on the process of lodging an application for extensions and alternations including the provision of the full-height window, and the proposed adverse impact will be further significant once it is completed.

The assessment of the above will be greatly appreciated. We would be happy for the applicant or Council's officer to come inside our house to undertake any inspection if required.

Regards,

Jalal Ziaolhagh