

Our Reference: 168-2025

Date: 25 August 2025

View Loss Analysis for DA2024/0267 6 Summit Avenue Dee Why

This letter has been prepared in response to the additional information request for the above-mentioned application. The letter has been culminated to address the proposed addition of a roof top terrace to a previously approved dwelling under DA2024/0267 at 6 Summit Dee Why Avenue. Accordingly, the letter below undertakes a view loss assessment with regards to the adjoining affected properties, namely 2 & 4 Summit Avenue Dee Why.

1. INTRODUCTION

This view impact assessment must be read in conjunction with the Statement of Environmental Effects and accompanying architectural drawings. The purpose of this view impact assessment is to provide consideration and assessment of the potential impacts from the proposal from surrounding private views in accordance with the planning principles established in *Tenacity Consulting v Warringah* [2004] NSWLEC 140.

This view impact assessment will detail:

- An assessment of both current and anticipated future views that might be affected.
- Identification of specific portions of properties that will be impacted.
- A detailed examination of the magnitude or extent of the projected impact.
- An analysis of the reasonableness of the proposal in the broader context.

Concluding, the analysis will provide a determination on whether the potential impacts on neighbouring properties both in their current state and in terms of any future development are deemed acceptable or not.

2. METHODOLOGY AND VISUAL CONTEXT

This view impact assessment is structured based on the four (4) view-sharing principles outlined in the *Tenacity v Warringah Council (2004) NSWLEC 140* case. These principles have become widely recognised and accepted as the foundational guidelines for assessing the implications of view loss.

The principles provide a systematic and comprehensive approach to determine the extent and significance of any potential obstruction or alteration of views due to new developments. The four (4) steps in assessing view affectation are as follows:

Step 1: Assessment of views to be affected.

Step 2: Consider from what part of the property the views are obtained.

Step 3: Assess the extent of the impact.

Step 4: Assess the reasonableness of the proposal that is causing the impact.

The architectural plans serve as a foundational reference, illustrating potential changes. The methodology used to assess the view impact integrates both a desk-based analysis and practical site evaluation. To ensure accuracy and provide a real-world perspective, we further substantiate the analysis through an on-site inspection.

The site inspection included capturing photographic shots, offering views and confirming the anticipated impact detailed in the plans. This holistic approach ensures a thorough and accurate assessment of the potential view impact.

The views most susceptible to potential changes from the site are anticipated to originate from the closest residential developments within a close vicinity to the subject site, situated as the direct neighbouring properties to the west: 4 & 8 Summit Ave Dee Why.

1. A detailed understanding of the positioning of the buildings at the aforementioned potentially affected properties to comprehend the potential visual interferences the proposed development might introduce.
2. We evaluated the nature and significance of the views that might be impacted by the proposed development, taking into account factors such as water views and the overall landscape.
3. We identified the specific parts of the properties affected from standing and seated position, where these views are most appreciated and could potentially be affected. This assessment specifies that sightline heights are established at 1.6 metres for those from a standing position. These standards ensure consistency in evaluating potential view impacts and provide a clear benchmark for analysis.
4. Gauging the potential magnitude of the view loss, considering both quantitative and qualitative factors, to understand the overall implications for the residents of 2 & 8 Summit Avenue Dee Why.

Through this comprehensive approach, we aim to provide a well-rounded understanding of the view impact resulting from the proposed development on the nominated site.

3. VIEW IMPACT ANALYSIS

3.1 First Step

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.

Comment:

From the east facing facade of the adjoining property at 4 Summit Avenue, there are views to the water to the east. These are considered to be valued view in the context of the analysis.



Figure 1: Photo standing at the subject site looking east

Whilst views towards the water are achieved from the adjoining property at 4 Summit, it's important to note that the views to these areas are likely to be maintained as the adjoining property at No.4 is on the higher side of the street with a higher RL to the existing roof top terrace.

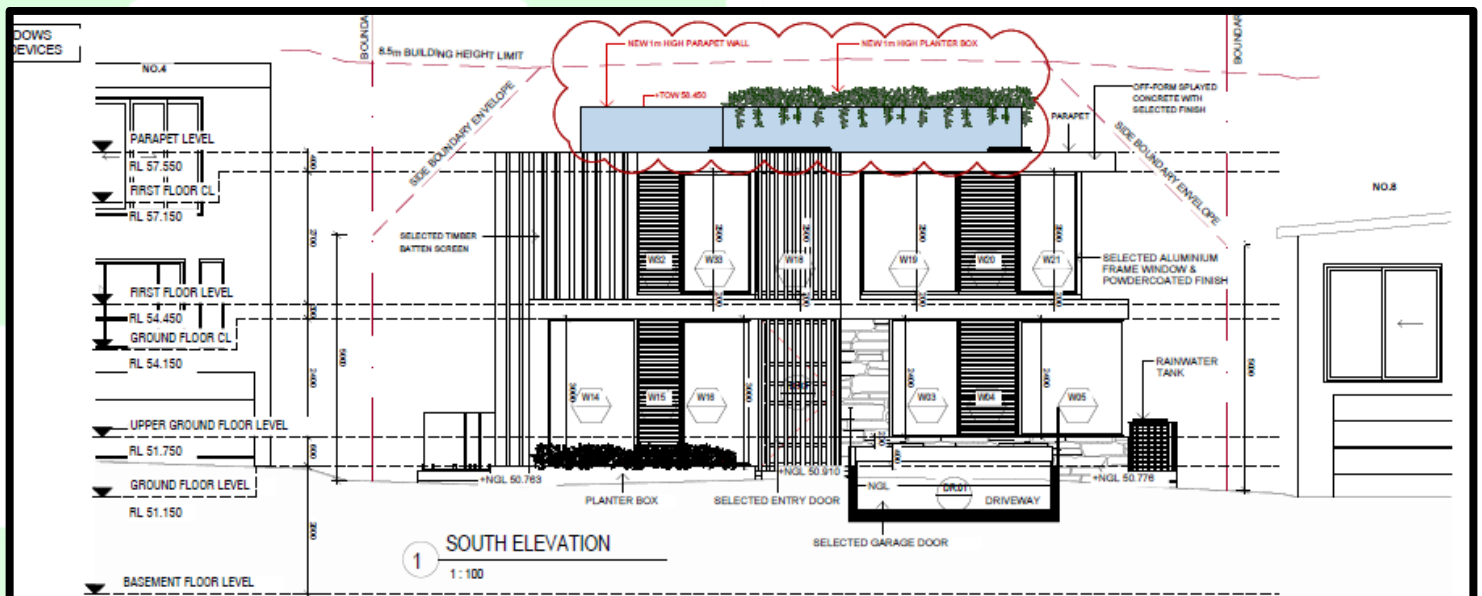


Figure 2: Streetscape elevation indicating the RLs of the adjoining developments

3.2 Second Step

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.

Comment:

Based on the, architectural plans provided and a site inspection, it was determined that the views to the water are obtained from the rear eastern elevations of the adjoining dwellings to the east and west as indicated in the figures below.

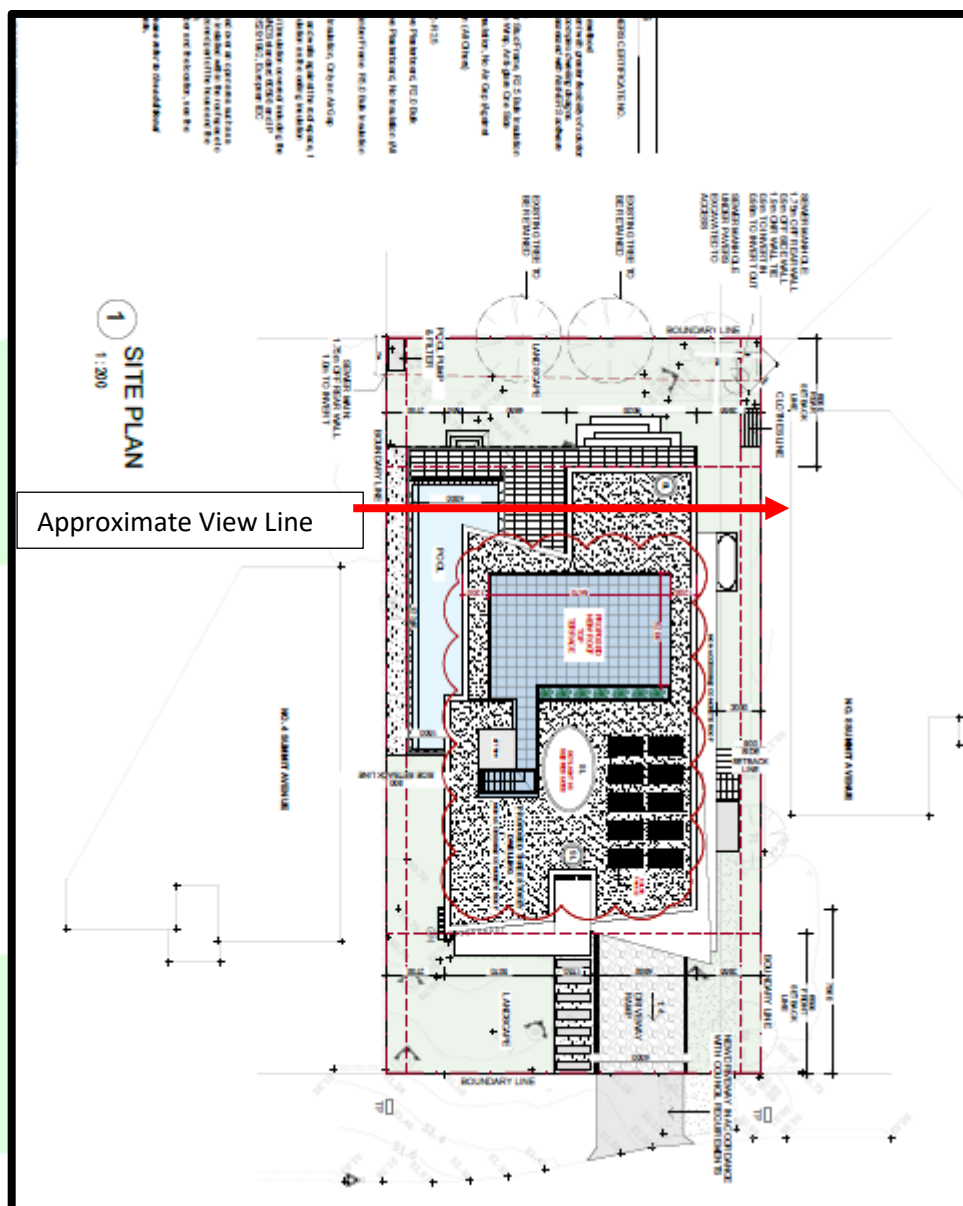


Figure 3: Approximate view line to the east from adjoining properties

As indicated by the figures above it is clear the view is retained across the side boundaries, which is considered more difficult to retain.

The room in which the views are obtained is a kitchen and balcony along the eastern elevation. Whilst it is conceivable that the views can be obtained from the room, the nature of the views is achieved across a side boundary. As such given the location of the window and the nature of the room in which the views are obtained

from across the common side boundary it is considered the retention of the views to the water is more difficult to retain and can be deemed unrealistic.

It is also important to note that the dwelling to the east also has a rear living area window along the rear northern elevation of the dwelling that has water views to the north and north-east off the rear boundary which appears to be virtually unobstructed by the proposed development.

3.3 Third Step

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.

Comment:

As established above, the views from the rear boundary at 4 remain unobstructed. Based on the architectural design proposed and the fact the views from No.4 and 8 are from the rear/side boundary the proposal has been designed to ensure a lower RL, and enable the retention of water views from the roof top terrace at number 4 and as number 8 is at a lower height the impact on views remains unaffected.

Based on the figures above currently the single storey-built form of the furthestmost roof of the existing dwelling on the subject site affords views virtually unobstructed from the northern rear window of the eastern property. With the construction of the proposed dwelling the views across the common side boundaries will become partially obstructed, however the addition of the terrace will not create any additional view loss impact.

3.4 Fourth Step

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.

Comment:

In examining the reasonableness of this proposed development in this scenario, the proposed built form is consistent with the DCP and LEP and the proposed rear setback exceeds the DCP and is not considered to be resultant factors in view impact. It is contended an overall compliant design will likely result in a similar impact to a non-compliant design. The key factor in this instance is that the proposed dwelling is well setback consistent with the prevailing setback and even with minor deviations the impacts on the views will likely remain the same.

Thus, the pertinent question isn't about this proposal's deviation from planning controls but rather if a compliant design would alleviate view loss. The answer, considering the aforementioned question, gravitates towards a 'no'.

A critical perspective which should be adopted is the understanding of the primary source of these views. Given that they largely stem from under developed land, any two (2) storeys building at 6 will inevitably introduce changes to viewing opportunities across the side boundaries for No. 4. The viewing changes from 4 are considered negligible, in essence given the distance to the water views, the fact the views are obtained from a side boundary and the fact that the views from the rear at Number 4 remain unobstructed.

Whether compliant or not the development on the subject would result in a similar impact and therefore it would be considered unreasonable to suggest that a complying development would be more suited to elevate view impact when the views are reliant across under developed land and across side boundaries.

The views enjoyed from the property in question is moreover reliant upon existing under developed land that has single storey elements in the built form, where the controls allow for a 2-storey development. Whilst the quantitative change is palpable, it's within anticipated bounds and in essence is not only site specific but contextually expected. The design ensures that 4 Summit still retain a tangible connection to water and remain virtually unobstructed to the rear through preserved corridors. Therefore, the proposal can be considered reasonably acceptable in terms of view sharing.

4. CONCLUSION

The proposed terrace at 6 Summit Dee Why Avenue will not result in additional loss of views, that was not considered acceptable under the original DA for the two-storey dwelling. As established, the view changes to 4 & 8 Summit Avenue Dee Why are anticipated by the built form controls enabled for this development and still allow the retention of views across the side boundaries that were considered acceptable under the approved development application. The side window of 4 is not expected to have additional impact with consideration of what has already been approved. The views from the rear living room window will remain undisturbed.

Through thoughtful design, corridors of views towards the water are preserved, ensuring that both properties maintain vital sightlines. However, it's essential to understand that any two (2) storey development on the site would result in a similar impact, making the change neither unexpected nor extraordinary moreover would be inherit or site specific.

Therefore, taking into account the inevitability of such an impact from any two (2) storey development on the land, the overall impact on the views for the affected properties can be deemed acceptable.

View Impact Assessment prepared by Pivotal Planning and Development.

Kind Regards



George Nehme
Director
Pivotal Planning Pty Ltd

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