
Sent: 19/05/2019 8:09:30 PM
Subject: Online Submission

19/05/2019

MR Michael Palme
64 Evans ST
Freshwater NSW 2096
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RE: Mod2019/0172 - 62 Evans Street FRESHWATER NSW 2096

Re: Proposed Development.

Modification No: Mod2019/0172 - DA2015/1258

Dear Sir/madam,

Thank you for notifying us about the proposed development. There are a number of issues which we have with the proposed modifications, most notably the overlooking of the living areas within our home as well as the need for increased size in the supporting columns at the front of the building.

On 16 April, 2019 we lodged our concerns about the construction work being undertaken at 62 Evans Street - Council ID no. BLD2019/00833. Upon returning to Council two weeks later to enquire about how this matter was proceeding, we were told that it was still with the Building section of Council and that no other information could be provided as to where the investigation might be. Building has continued apace and if any aspects of our concerns prove true, while a fine for incorrect work will provide Council with additional funds, it will not give us back our quality of lifestyle. We are now acutely aware of how big this new building has become when we are being constantly overlooked and overshadowed for a large part of the day. We are concerned that this new construction has created a 4 storey building comprising the garage level, the granny flat level and then the two levels of their home. The excavation for the block has gone all the way through to the north of the block on the same level as the road, creating a space which runs the entire length of the block, underneath the other three levels above. This has involved much more excavation than was shown on the original plans. When we enquired about excavating under our own home for our own recent renovations, we were told we could not go as far as we wanted to into our block because it would create a 3 storey building which is not allowed.

Firstly we should deal with the one aspect of the modification with which we have no problem, as we believe it will not impact our home nor our way of life.

Item 4 is the addition of an awning at the front of the building for weather protection. We are surprised that the owner is identifying this as the ground floor of the construction when in it is actually on the first floor of the building with the garage taking up the street-level ground floor of the new construction. This will not impact us so we are prepared to let this section of the modification proceed.

We do have concerns with all of the 3 other aspects of the modification.

Item 1 is the modification of the windows with some being reduced, others enlarged and with the addition of two new windows. The affect that the placement of these windows will have seems to be being minimised by the inclusion of a 1.8 metre high fence. If there was an expectation that the owners of 62 Evans Street were required to install privacy screens then there would be no need for such a tall fence. In our own recent renovations, privacy screens were an additional factor that needed to be included for our work to proceed.

Our concerns are not only with the windows being modified but also with the materials being used in the construction of certain parts of the eastern side of the development. When the original plans DA2015/1258 were lodged, we objected to a number of factors through Nolan Planning Consultants on 28 January 2016. In that objection we raised concerns with the "the large wrap around balconies and living area windows" but our concerns were disregarded by the Council representative when making their determination. We are now seeing the unpleasant effect of that decision when we have construction workers looking directly into both our bathroom, outside deck and kitchen area. We invite you to come to our home and see for yourselves the way in which our lifestyle has been damaged by that decision.

While window (I) is listed as being reduced in size, the space in which this window will be positioned on the south-eastern corner of this part of the building is extremely large. As the wall in which this "reduced" window is going to be positioned is all glass, it makes no difference that it is being reduced. Regardless of the size of the "window", it is just more space through which the occupants can directly overlook our property. As this is one of the items to which we objected when the original plans were lodged, we also object to any modification to this same area of the build now, regardless of whether it is being reduced or enlarged.

There is a sliding door (P) being positioned on the north façade of the building and as this does not affect us, we have no concern with it being included in the modification proposal.

Item 2 is the Flipping around of the internal layout of the Granny Flat. We object to this being allowed to proceed because we do not know what types of rooms will be on our eastern boundary and whether the occupants will be able to overlook us. When we contacted Council about the new development back in 2015, we asked if we could view the building plans to ascertain the types of living spaces which were going to be positioned on the eastern side of the build. The use to which these rooms will be put will then determine whether the occupant will be able to overlook our home. Unfortunately we were told by the Council representative that we were not allowed to see those plans because of privacy concerns. We are now seeing that there will be a direct line of sight into our kitchen and we are unsure of what affect this change to the Granny Flat will have because of a lack of information. If the new window (F) for a robe/study is to be allowed to proceed, it really should only be a highlight window to allow in light but to stop the occupant looking onto us and to stop us looking in on the occupant.

In regards to all the windows on the eastern side of the building, we would respectfully ask that they have translucent glass so that the privacy of the occupants of both dwellings at 62 & 64 Evans Street be taken into account.

The large wrap around balconies and living area windows which we objected to when the original plans were lodged are going to have sliding doors (SD) with glass balustrades (GB). We ask that our privacy be considered when this whole modification is considered because when the sliding doors are opened, there will be a direct line of sight into our kitchen, bathroom and back deck. Some sort of privacy screening should be taken into account when the matter is finally decided.

As the windows listed as modification (C) are not identified in the information provided in the elevation plans within this DA proposal, we are unsure of how this change will impact us. We believe these are the sliding doors through which the occupant will overlook the street and beach, looking south. If this is the case, then it has no impact on us and so we do not object to this part of the modification. If these sliding doors are in a different place within the build and allow visual access to our property then we would object. Could you please advise us where these windows are so that we might make a more correct statement as to their impact on our home.

Item 3 is the need for added columns. This raises the question of why these are needed when the original building was architect and engineer designed. Given the number of questions we have already raised about the construction of the dwellings being built on this site (Council ID no. BLD2019/00833), we believe this implies the strong possibility that the building works being undertaken are not being constructed in the way in which they were supposed to be, based on

the original plans. The question must be asked as to whether the structures that these new "beefed-up" columns are going to support have been enlarged beyond what was originally planned.

There is an implied answer to this in that the requests for these modification have been accounted for by the builder in the already constructed sections of the building. The newly built spaces seem to be already able to accommodate the windows which are part of this modification application.

We are very disappointed that Council has permitted such a bulky dwelling to proceed with almost no consideration to the negative impacts it is creating on the quality of our family lifestyle. Our only hope is that in your consideration to this modification proposal, you come and see for yourselves the impact it has had and that Council may be able to rectify some of these issues so that we are not having the occupants of 62 Evans Street, whoever they are, looking directly into the privacy our home and yard.

To assist with your consideration of this proposal, we have sent an email to council@northernbeaches.nsw.gov.au marked Attention Alex Keller, Planner. We have also attached our original objection which was prepared by Nolan Planning Consultants.

Given the importance to us of our submission, could you please advise us that you have received our statement submitted either by this online submission process or by email.

Regards,
Joanne & Michael Palme