

View Loss Analysis

14 Bellevue Parade, North Curl Curl

Tenacity Consulting v Warringah Council (2004) NSWLEC 140. The Planning Principle established a four-step process for considering the impact of a development on views.

Step 1. An assessment of the value of views to be affected by reference to their nature, extent and completeness.

The views subject to this assessment are district and water views from 99, 101 and 103 Headland Road North Curl Curl, looking south and south-east, across the subject site at 14 Bellevue Parade, as illustrated below.

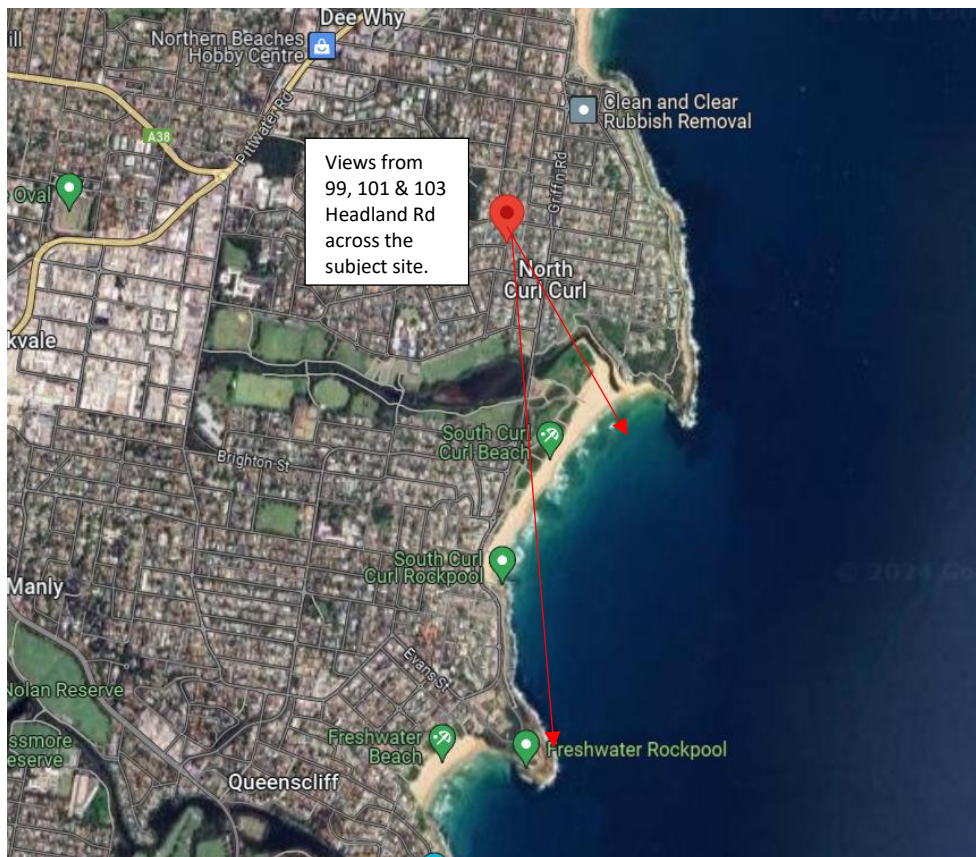


Figure 1: Aerial Image of the subject site and views subject to this assessment



Figure 2: Water and district views, looking south from the rear yard of the subject site.

Step 2. A consideration of how views are obtained and what part of the property the views are obtained from.

Access to individual properties was not possible, however a desktop assessment was conducted utilising the following images from realestate.com.

99 Headland Road North Curl Curl

Views from 99 Headland Road are obtained from the rear first floor living room and balcony, looking south and south-east across the subject site, as illustrated below.

Images were sourced from <https://www.realestate.com.au/property/99-headland-rd-north-curl-curl-nsw-2099/>



Figure 3: Water views from the living room at 99 Headland Road, looking south-east.



Figure 4: Water views from the balcony at 99 Headland Road, looking south / south-east.

101 Headland Road North Curl Curl

Views from 101 Headland Road are obtained from the ground floor dining, family and living rooms, ground floor deck and the rear yard, looking south-east, as illustrated below. It is noted the subject site is not visible from 101 Headland Road.

Images were sourced from <https://www.realestate.com.au/sold/property-house-nsw-north+curl+curl-126653978>



Figure 5: Water views from the dining / living room at 101 Headland Road, looking south-east.



Figure 6: Water views from the living room at 101 Headland Road, looking south-east.



Figure 7: Water views from the rear yard at 101 Headland Road, looking south-east.



Figure 8: Water views from the rear deck at 101 Headland Road, looking south-east.

103 Headland Road North Curl Curl

No images were available of views obtained from 103 Headland Road North Curl, however it is considered there will be no impacts given that the subject site is not visible from the neighbouring property at 101 Headland Rd and the fact that this property sits significantly upslope.

Step 3. A qualitative assessment of the extent of the impact in terms of severity particularly as to whether that impact is negligible, minor, moderate, severe or devastating.

It is considered the proposed development will have no impact on views obtained from 99, 101 or 103 Headland Road, as these properties sit significantly upslope and views are not obtained across the subject site, as illustrated above.

Step 4. An assessment of the reasonableness of the proposal causing the impact particularly in terms of compliance with applicable planning controls and whether a different or complying design must produce a better result. 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.

It is concluded that the development will have no impact on views obtained from 99, 101 or 103 Headland Road.

The development proposes a variation to the front setback and building envelope controls, however the variations will not have any impact on views obtained across the site from neighbouring properties.