
Sent: 3/09/2020 1:46:09 PM

Subject: DA2020/0865

Attachments: morning winter sun 1.jpg; morning winter sun 2.jpg; morning winter sun 3.jpg; morning winter sun 4.jpg; outlook from main living area.jpg;

Attn: Nick England

My name is Todd Delaney, owner and resident at 39 Heathcliff Cres, Balgowlah Heights NSW 2093 and adjacent, to the south side, to the applicants' property at 41 Heathcliff Crescent.

My wife and I have engaged a planning consultant to help navigate and understand this DA and that consultant has put forward a submission on our behalf. I am just following that submission up with an additional perspective and have included some additional photos.

Dot points below highlight some impact areas from the proposed development:

- Enormous deck at the front of the property is elevated and setup for indoor/outdoor living, designed to be integrated and directly connected to the kitchen and primary internal living areas. The deck is sized to fit outdoor lounge furniture, outdoor dining and BBQ area...it is clearly designed to be a very high use area both for normal family use and for entertaining. Additionally it is designed as the main entrance in the house. Unfortunately it is positioned very close to our master bedroom and bedroom number 2. Both 39 and 41 Heathcliff Crescent are situated in a very quiet cul-de-sac. When we go to bed at night, the area is very quiet and is an important feature of the street. With this enormous indoor/outdoor living space which is also elevated to the first floor right outside our bedroom...the impact will materially change the quiet amenity that we currently enjoy.
- Our house was architecturally designed to be thermally efficient with a passive solar design, in the summertime we do not need, nor do we have air conditioning, windows stay open to allow the cooling sea breezes of an evening. In the winter time, as the sun is lower to the north, the large windows allow enough sun to heat the house, and again windows stay open to allow fresh air to circulate which makes it a very healthy house. We don't have any realistic way of blocking out the noise from this deck.
- In addition to the noise from the front deck, anyone using the front deck or arriving on the elevated front entrance to the house via the deck will be able to see straight into our bedrooms and ensuite area where we come out of the shower, naked, as one does, before getting dried and dressed. We have invited Chris and Anthoulla, the applicants, into our house to show them this issue. At the time, prior to the DA submission they undertook to discuss these concerns with their builder, 6 weeks went by, nothing happened then we find the DA has been submitted unaltered even

though it's a known issue.

- The whole front deck seems to be so close to the boundary and will form a big part of our new outlook which currently includes the lovely park at the end of the street, trees and distant district views.
- As mentioned above, sunlight is an important design feature of our house, we have deliberately built the house with a big setback from the Northern boundary so that we can access sunlight. It looks like this application is trying to build right up to the Southern boundary, ignoring setbacks and taking access to sunlight to our main kitchen/living area.
- In the dead of winter our main living area is bathed in morning sunshine, even on the winter solstice. This sets up the house warmth for the rest of the day.
- I have photos (see attachments) of the sunlight in our main living area on or near to the solstice taken in the morning.
- The application proposes to take away much of our winter sunshine to our main living area.
- For some reason the application has omitted "as is" current access to sunlight drawings.
- From our main living area/kitchen we currently enjoy a distant view of trees, blue sky and the ocean. See photo attached. This application would have that outlook replaced with a brick wall and balcony and screening. Is it really necessary to build so close the Southern boundary and so far forward. Is there some way that the outlook can be shared?
- I want to point out that we do have a rooftop deck with a nice outlook to the ocean/harbour. But it is a novelty. It is significantly disconnected from the main living area and kitchen, it has no shelter and is very exposed. It is used on NYE to watch the fireworks and seldom otherwise. The point being it is not part of the main living area of the house and from a practical point of view does not replace the day to day outlook that we enjoy from the main living area/kitchen.
- I can totally understand why the applicants have come up with this design with this massive elevated front well integrated indoor/outdoor entertaining area, it will hugely increase the value of their property. And good luck to them. But at what cost to their neighbours quality of life. It's as if this design has been done in a vacuum, with little or no consideration to surrounding property in particular the property at 39 Heathcliff, directly to the South which shares a similar outlook and situated in their shadow zone. But it's not just about shadow and outlook, it's very much about the noise to our nearby sleeping areas due to the size, proximity and likely use of this huge indoor/outdoor deck.

- There will be similar noise and privacy issues to 43 Heathcliff, however the owner, in the last few years moved to a nursing home and the house is being rented and managed by her children. I'm not sure if she's still alive anymore or if the children are away of this DA.

Regards,
Todd Delaney









