



northern  
beaches  
council

## MEMORANDUM

**DATE:** 9 April 2024

**TO:** Development Determination Panel (DDP)

**CC:** Rodney Piggott, Manager Development Assessment

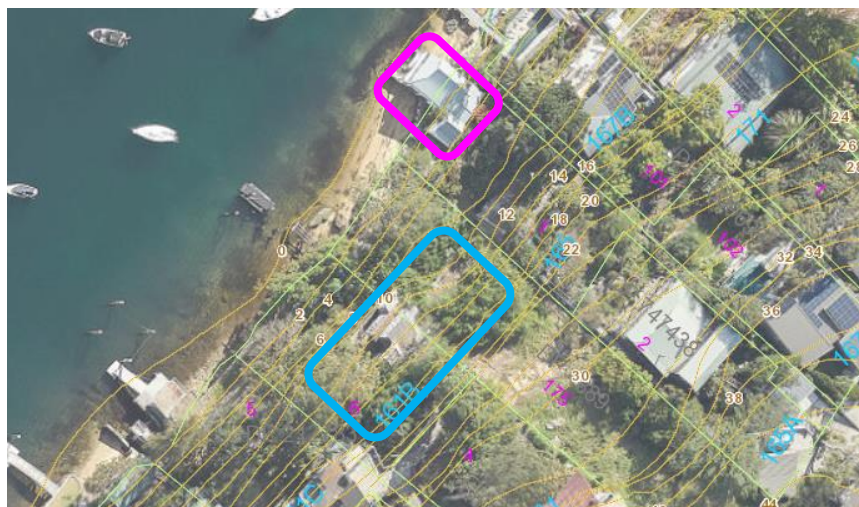
**FROM:** Claire Ryan, Principal Planner

**SUBJECT:** Item No. 3.1 – DA2023/1230 – 161B & 163 Seaforth Crescent, Seaforth

The purpose of this memo is to advise the Panel that a submission has been received from Rachel Lee (165 Seaforth Crescent) in relation to the Assessment Report's publication online ahead of the meeting, raising concern with amenity (privacy) loss. Ms Lee requests the following design changes:

- *Level G: This level needs fixed shutters on openings facing North to protect our privacy. This will allow light into the building space without the occupants looking onto our property.*
- *Level 1: The same type of fixed shutters need to be added to the north facing window at this level. The shutters need to be designed to ensure privacy for both properties.*
- *Level 2: The same fixed shutters as per Level 1*

165 Seaforth Crescent is developed with a detached dwelling house, located as outlined in pink below. The approximate footprint of the proposed dwelling house on the subject site is located as outlined in blue below.



**Figure 1:** An aerial depiction of the proposed dwelling house on the subject site (blue) and the existing dwelling house on the neighbouring site at 165 (pink).

Figure 1 demonstrates that the proposed dwelling house is not aligned with the existing dwelling house at 165 Seaforth Crescent. It should also be noted that there is a significant slope from the south-east to north-west, which results in 165 Seaforth Crescent sitting well below the proposed dwelling house.

The effect is the proposed dwelling house looking out over the top of (and not directly to) the dwelling house at 165. This is evidenced by the difference in floor levels between the proposed dwelling and the dwelling at 165. The ground floor is set at RL 11.30, and the floor level of the dwelling at 165 is set at approximately RL 3.90. An occupant of the proposed dwelling house would have to stand immediately at the window or edge of terrace on the north-eastern side and look almost directly downwards to gain view to 165, and this view is from a distance of no less than 10 metres.

It should be noted that the proposed dwelling house is fully compliant with the applicable setback controls, and is supported by generous landscaping, including in the setback area between the proposed dwelling and 165 Seaforth Crescent, as detailed on the landscape plan.

## **Recommendation**

My opinion on the application remains as detailed in the Assessment Report, being that the proposed development retains reasonable amenity to adjoining properties, and that no design changes are required.

Claire Ryan  
**Principal Planner**