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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 18/01/2024 5:52:45 PM  
**To:** DA Submission Mailbox  
**Subject:** TRIMMED Online Submission

18/01/2024

MR Andrew Tripet  
25 Adams ST  
Frenchs Forest NSW 2086  
[REDACTED]

**RE: DA2023/1783 49 Forest Way FRENCHS FOREST NSW 2086**

18th January 2024

Northern Beaches Council  
PO Box 82 Manly, NSW 1655  
Attention Mr Lachlan Rose

Dear Lachlan,

RE DA2023/1783 Construction of a Secondary Dwelling at 49 Forest Way,  
FRENCHS FOREST NSW 2086

Thankyou for your opportunity to provide a written submission in relation to the proposed development application DA2023/1783. The following submission is made on behalf of my family as owners of 25 Adams Street, Frenchs Forest which directly adjoins the proposed development site. The submission is informed by my work as a senior architectural practitioner.

Whilst we are generally supportive of our neighbours intention to provide a secondary dwelling on their property, we wish to raise the following concerns about the development with a view that some minor amendments may be able to be accommodated in Council's determination of the application

- The proposed secondary dwelling has a non compliant secondary street front setback and the proposed proximity to our shared property boundary will be detrimental to the amenity of our property. We would like to request that the side setback is increased to 3m which will in turn make the secondary street setback close to compliant.
- Some of the documentation provided with the DA application is inaccurate or would benefit from additional details being provided (landscape drawings do not actually list plant species so we aren't sure what is proposed to be planted along our shared boundary, no ground levels are shown on the floor plans, elevations don't show building height accurately)
- The proposal relies on a sewer connection through our property that does not have an easement. Given a new stormwater connection is proposed we would request that a sewer connection also be made outside of our property boundary

These matters are outlined in further detail below in this submission

### Secondary street frontage setback and rear (side 2) setback

The DA plans and SEE incorrectly state a proposed secondary street setback to the new dwelling and Adams Street of 3.5m. The proposed entry column and blade wall that supports the roof over the entry need to be included in this calculation as the roof will be the dominant visual form in terms of a visual reading of this street setback. The setback to this column is only 2.55m and has been excluded from the setback calculation (refer to Figure 1 overleaf). This proposed setback is 1 meter less than the minimum required DCP setback. For reference the existing setback of the current residence is in the order of 4.28m. Our home is setback in the order of 9m at the closest point to Adams Street and is typical of the prevailing street setback along Adams Street. As such the proposed setback will be non-characteristic and visually obtrusive to the streetscape, as well as dominate over our fence line.

Figure 1 - Setback drawing incorrectly states 3.5m setback, proposed secondary setback is 2.55m.

This will be exacerbated by proposed height of the gutter line. Although the secondary dwelling is relatively modest in height, the proposed plans haven't shown the ground RL's around the new dwelling and show an Eastern elevation that is incorrect. The ground RL on the east façade of the proposed secondary dwelling would be approximately RL148.20 based on the survey plans submitted. The proposed floor RL is 149.00. Based on this the east elevation is incorrectly showing the height of the building which will be 1m out of the ground at our boundary, meaning the gutter line and roof will be considerably higher than our current fence line (around 1.5m above fence line - right on the boundary) - see Figure 2 below. We presume the submitted shadow diagrams are likely therefore inaccurate and have not correctly captured the ground levels. As such afternoon overshadowing will be considerably worse than indicated.

Figure 2 - East elevation drawing incorrectly shows natural ground line only 200mm lower than proposed Floor Level.

We further note that the proposed rear setback to our shared boundary is only 1.095m. Had the application for this secondary dwelling been lodged as a CDC, a setback to our shared boundary would have been required to be 5m given site area. We further note that the DCP has a requirement for rear setbacks of 6m in R2 zone. Whilst the subject site isn't treated as having a rear setback due to being a corner block, the reduced rear setback control applicable to the property relies on a compliant secondary street setback to push any development next to the adjoining residence back such that overlooking and appropriate acoustic and visual privacy can be maintained.

### Recommendation:-

We would like to request that the proposed development rear setback (side setback 2) be increased from 1.095m to 3.0m to offset any potential loss of visual and acoustic privacy, overshadowing of our front yard and improved visual character along Adams Street. The

increased setback would also enable the secondary street setback to be close to compliance with the 3.5m requirement of the DCP (see Figure 3 overleaf - approx. 3430 secondary setback achieved with modification) This revised setback is still less than would otherwise have been required by a CDC.

Figure 3 - Requested increase in rear setback will make secondary street setback compliant

#### Sewer connection

The development application has not included details of how sewerage connection for the new residence will be managed. At present we believe that the sewer service for 49 Forest Way travels through the NW corner of our property as attested to in the Dial Before You Dig plans - see Figure 4 below. There is no registered easement on our property and we would like to request that a new sewer connection be provided that does not travel through our property. We are intending to construct a new driveway and possible landscape works in this location and are concerned that there could be damage to the sewer that we may then become liable for.

Figure 4 DBYD drawings from Sydney Water showing sewer line through our property

#### Recommendation

The DA shows a new stormwater line to be connected to Adams Street kerb line so it would be a straightforward exercise to include a new sewer line in the same trench so that any sewer line is no longer required through our property.

#### Conclusion

We trust that the submission above is clear and are happy to discuss further with Council or the property owners at 49 Forest Way should they have any questions about the matters raised.

Regards,

Andrew Tripet  
NBRS

Principal + Sector Lead (Community) | Registered Architect NSW No. 7279

