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**Subject:** FW: Submission report DA2019/0905  
**Attachments:** Notification Responce Letter-Baulkham- 2019.pdf;

Thank you Tony Balkin  
43 carefree rd Narrabeen  
0417207668



**Submission  
For  
Anthony Balkin  
Ref DA2019/0905  
45 Carefree Road,  
North Narrabeen  
NSW**

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**Town Plan**

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ABN:	
ADDRESS:	PO Box 6193 French's Forest D.C 2086
TELEPHONE:	(02) 9905-5000
FAX:	(02) 9905-8865
EMAIL:	<a href="mailto:gregg@townplan.com.au">gregg@townplan.com.au</a>
AUTHOUR:	Gregg Barr-Jones
MBDAA	Acc#6305
Dip ArcTech	DipArchTech / PIA(Assoc)
Builders Lic No:	82661c

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# **1 SUBMISSION INTRODUCTION**

This Submission Statement is concerning DA2019/0905 at 45 Carefree Road North Narrabeen.

This submission relates to 43 Carefree Road North Narrabeen, and how its amenity is dramatically reduced due to the proposed development at 45 Carefree Road, and how the application departs from key council objectives and that the proposal does not comply with Council's Ordinances and does not achieve compliance with the Council's objectives under the LEP and DCP.

In preparing this submission, consideration has been given to the sensitivity of the site, its relationship with surrounding properties, and the unique character of the streetscape and the nature of the surrounding area.

## **Reference materials**

- Site visit
- Plans prepared by Warren Design
- Site survey prepared by Bee & Lethbridge Surveyors
- Statement of Environmental Effects prepared by Urbanism, Planning and Development
- Arborist statement prepare by Naturally Trees
- Council review of rejected Development Application

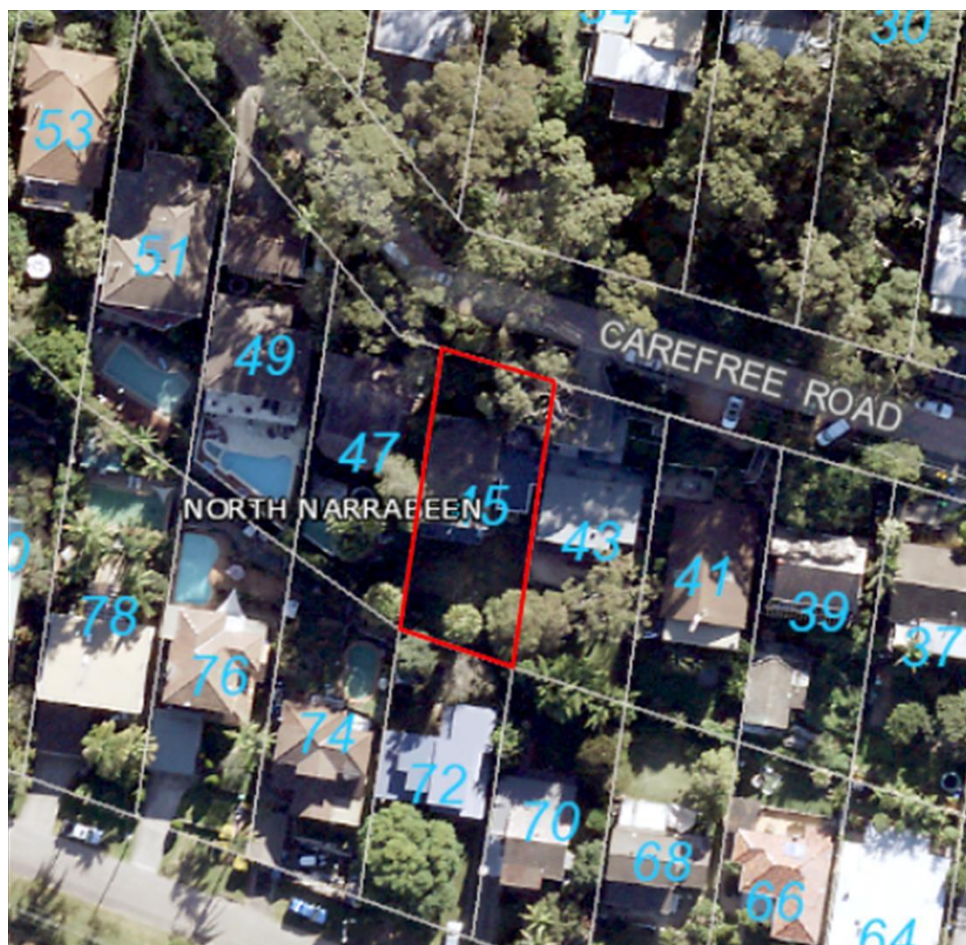
## 2 DA Proposal DA2019/0905

### 2.1 Site

43 Carefree Road North Narrabeen is located on the southern side of Carefree Road in the residential neighbourhood of North Narrabeen.

The proposed DA application DA2019/0905 is located directly to the western boundary of 43 Carefree Road.

PROPOSED DEVELOPMENT LOCATION PLAN: No 45 Carefree Road, North Narrabeen, DA2019/0905



### 2.2 Local Authority

The local authority for this site is:  
Northern Beaches Council  
Civic Centre, 725 Pittwater Road,  
Dee Why NSW 2099  
DX 9118 Dee Why  
Telephone: 9942 2111

## **2.3 Zoning**

DA2019/0905, Lot 25 DP.11547 known as 45 Carefree Road, North Narrabeen, has a Zoning of E4 Environmental Living. This property does not fall within a Conservation Area.

## **2.4 Submission**

An assessment of DA application DA2019/0905 identifies several non-compliances that will affect the support of this application in its current form. Front and rear setbacks, side setbacks, building envelopes, building height, landscape open space, privacy, view loss, solar access, pool and deck elevation, tree preservation, landscape open space and landscaping are all questionable. These non-compliances will directly reduce the amenity of the existing residents in particular 43 Carefree Road North Narrabeen. Information contained within the plans shows limited detail on reduced levels and site calculations.

Compliance with Planning Principles, would see a more skilful design in terms of bulk and scale and is considered necessary, and possible under the circumstances. Reducing the development from three to two stories would reduce the bulk and scale dramatically and would achieve a more reasonable development potential for the site and mitigate the devastating loss of amenity to the adjoining residents in particular 43 Carefree Road North Narrabeen.

## **2.5 Solar Access**

The bulk and scale of the proposed development and the retention of the existing dwelling at 45 Carefree Rd, will result in reduced amenity and will see impacts to 74 and 72 Wakehurst Parkway, 47 and 43 Carefree Road North Narrabeen, relating to solar access to private open space areas. In particular, the proposed plans show the rear of 43 Carefree Road will be completely covered in shadow for most of the day as depicted in the shadow plans supplied by Warren Design.

Adequate solar access to private open space areas located at the rear of 43 Carefree Road Nth Narrabeen has not been provided and will need to comply with the expected Outcomes and Controls of Part C1.4 Solar Access of the Pittwater 21 Development Control Plan.

## **2.6 View Loss**

The proposed development at 45 Carefree Road would result in a devastating loss of views currently enjoyed by 43 Carefree Road that extends through to Narrabeen lakes from many parts of this property. This is due to the non-compliant bulk and scale of the proposal at 45 Carefree Rd.

The proposal involves large non-compliances with the building heights that are to conform under the LEP. Non-compliances of wall heights, side setbacks and side boundary envelope controls of the DCP. The view impacts are considered to be unreasonable and will need to comply with Part C1.3 View Sharing of the Pittwater 21 Development Control Plan.

## **2.7 Visual Privacy.**

The proposed development at 45 Carefree Road would result in a significantly reduced loss of privacy currently enjoyed by neighbouring residents and particularly by 43 Carefree Road.

Decks proposed for the development are large and proposed to be located, not only the rear but also to the side of the proposed works. These multiple elevated decks show no regard to the amenity of the existing residents. The plans show the upper floor deck handrails at over ten meters in height; the height restriction is 8.5m. Other decks located at the rear of the proposed development also wrap around the side of the proposed development impacting on privacy to private open space and overlooking into the existing living areas of 43 Carefree Road.

The pool and associated decking areas for the proposed works are elevated, adding to the bulk and scale of the development. The rear pool deck area is located at an excessive 4.5m above existing ground level with the pool itself 2.2m above ground level. This will add to the visual and acoustic pollution inflicted on the surrounding residents.

The proposal involves large non-compliances with visual privacy and deck heights, required under the LEP and DCP. The privacy impacts are considered to be unreasonable, and will not to comply with the LEP and the expected outcomes and controls of Part C1.5 Visual Privacy of the Pittwater 21 Development Control Plan.

## **2.8 Bulk and Scale**

The plans prepared by Warren Design depicts many non-compliances in the proposal. These non-compliances are not supportive of the desired future character as per Pittwater 21 Development Control Plan.

The proposed building height, as shown in the proposed plans calculates and overall building height of approximately fourteen meters, well over the allowable 8.5 meters. Large decks are located on the upper floor with the handrails at approximately 10 meters above ground level; these produce areas that overshadow and overlook the neighbouring residents. These height breaches add a considerable amount of bulk and scale that is not required and produce overlooking and overshadow that is inappropriate. View loss is also substantial due to this non-compliance.

Front Setback, the application does not comply with the front setback control under Pittwater 21 Development Control Plan part D11.6. Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback. Where car parking is to be provided on steeply sloping sites, reduced or nil setbacks for car parking structures and spaces may be considered, however, all other structures on the site must satisfy or exceed the minimum building line applicable. As the proposed plans show that there are multiple non-compliances in many different areas, so this is not achieved.

Side Boundary Envelope; The proposal shows a substantial non-compliance to the side boundary envelopes as required under Pittwater 21 Development Control Plan part D11.9. These compliances are required to ensure a reasonable level of privacy, amenity and solar access is provided within the development site, and maintained to

residential properties and equitable preservation of views and vistas to and/or from public/private places.

The proposed plans show non-compliant side and rear boundary setbacks in particular to the eastern and southern elevations. The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be 2.5 to at least one side; 1.0 for other side and 6.5 to the rear. This will need to comply with the controls of D11.7 of the Pittwater 21 Development Control Plan.

Landscaped Area. The total landscaped area provided across the proposed allotments seems insufficient to comply with the minimum requirement of 60% specified for the E4 Environmental Living Zone. The oversized building footprint combined with the elevated pool and deck areas and front boundary encroachments take up a significant portion of the site as depicted in the proposed plans. This will need to comply with the outcomes and controls of D11.11 Landscaped Area - Environmentally Sensitive Land of the Pittwater 21 Development Control Plan.

Other areas of concern are appropriate stormwater disposal in accordance with council policy. Geotechnical engineering specific to the site and council policies in relation to the proposed development and pool. The proposed plans show the removal of significant trees and per the arborists report with minimal landscaping; all the issues will need to comply with Pittwater 21 Development Control Plan.

## **2.9 Conclusion**

A more skilful design that considers the existing neighbouring properties amenity should be proposed. The three-story development could be re-designed to accommodate two stories that would be more appropriate to the existing dwelling and existing pattern of development along Carefree Road.

Reductions to the towering non-compliant building heights could be achieved by dropping the dwelling and elevated pool and deck areas to existing ground levels that are located approximately 2.5m below the proposal. A reduction in ceiling heights deck areas and implementation of privacy screens would also show an attempt to achieve compliance and preserving the neighbour's amenity.

Dropping the building and deck heights would connect the proposed dwelling and pool areas to the existing ground levels would see a marked improvement in bulk and scale and could be easily achievable and provide for better compliance. This, in turn, would also give some elements of consideration to the existing resident's amenity and view loss.

The proposed works at 45 Carefree Road North Narrabeen show multiple non-compliances and significant breaches of councils Local Environment Policy and, Pittwater 21 Development Control Plan. Key objects under the Pittwater 21 Development Control Plan are lacking, areas such as non-compliant setbacks, building envelopes, heights, landscape open space requirements, visual and acoustic



privacy, overshadowing and complete view losses all add to a development that shows a bulk and scale that is inappropriate for the site and the area.

Land Zoning Map Pittwater DCP

