



northern
beaches
council

PRELODGE MENT ADVICE

Application No: PLM2018/0002

Meeting Date: 23/01/2018 1:00:00 PM

Property Address: 1 Badcoe Road CROMER

Proposal: Construction of a secondary dwelling and a carport

Attendees for Council: Catriona Shirley – Planner
Adam Mitchell – Principal Planner

Attendees for applicant: Vaughan Milligan – Planning Consultant
Talal Rossi - Owner

General Comments/Limitations of these Notes

These notes have been prepared by Council on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only. These notes are an account of the specific issues discussed and conclusions reached at the pre-lodgement meeting. These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority. A determination can only be made following the lodgement and full assessment of the development application.

In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP and any applicable clauses of the Warringah LEP 2011, and Warringah DCP 2011 within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported by Council, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.



The Pre-Lodgement meeting was held to discuss the redevelopment of the property for the purposes of a new garage, secondary dwelling. The house is also subject to a first floor addition, this is not a subject of these notes.

SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Issue/s Raised	Council Response
Secondary Dwelling	<p>A secondary dwelling is a permissible in a R2 Low Density Zone.</p> <p>However it is suggested that changes in the design of the secondary dwelling would assist in minimising any potential impacts on the neighbouring sites. For example a larger side setback area, greater articulation, and the stepping in of the proposed first floor.</p>
<p>Carport location with the secondary front setback</p> <p><u>Relevant WDCP Clause</u></p> <p>B7. Front Boundary Setbacks</p>	<p>The location of the carport within the secondary front setback area would not be supported.</p> <p>The carport dimensions do not comply with the Australian Standards AS2890.1.</p> <p>It is recommended that required 2 space carparking area is removed from the secondary front setback area and is located behind the 3.5m secondary front boundary setback.</p>

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

Note: WLEP 2011 can be viewed at Council's website.

Zoning and Permissibility	
Definition of proposed development: (ref. WLEP 2011 Dictionary)	Secondary Dwelling
Zone:	R2 Low Density Zone
Permitted with Consent or Prohibited:	Permitted with consent

Principal Development Standards:	
4.3 Height of Buildings	
Standard	Proposed
8.5m	<p>7.5m Dwelling House First Floor</p> <p>5.7m Secondary Dwelling</p> <p>3.5m Carport</p>



Comment

There were no section plans submitted with the application. Therefore the carport height is taken from the west elevation and the height of the secondary dwelling is taken from the east elevation. These plans do not give a true reflection of the height as they are not measured to the existing ground level. Section plans need to be submitted with any future application to demonstrate a more accurate height measurement.

From the review of the conceptual plans, it is considered likely that the development would achieve compliance with the standard.

Note: Building heights are measured from existing ground level.

State Environmental Planning Policy (Affordable Rental Housing) 2009

Consideration of the following relevant provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 is provided below.

The Statement of Environmental Effects for any future applications should reference the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Principal Development Standards:

Standard	Permitted	Proposed	Comment
Clause 22(2)	1 principal dwelling + 1 secondary dwelling	1 principal dwelling + 1 secondary dwelling	Complies
Clause 22(3)(a)&(b)	Secondary dwelling to not exceed floor area of 60m ² .	Approx 54m ²	Complies
Clause 22(4)(a) – site area	Site area of at least 450m ² is to be provided.	779.8m ²	Complies

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

Note: The WDCP 2011 can be viewed at Council's website.

Part B: Built Form Controls	
B1 Wall Height	
Control/Requirement	Proposed
7.2m	6.2m Dwelling House 5.6m Secondary Dwelling
Comment Complies	
B3 Side Boundary Envelope	
Control/Requirement	Proposed



4m	Complies – secondary dwelling*
Comment Compliant *For all land zoned R2 gutters, downpipes, eaves (up to 0.675 metres from the boundary), may encroach beyond the side boundary envelope.	
B5. Side Boundary Setbacks	
Control/Requirement	Proposed
0.9m	13m – East (Secondary Dwelling) 3m – East (Dwelling House First Floor) 1m – East (Carport)* 1.0m - South (Secondary Dwelling) 10m - South (Dwelling House First Floor)
Comment Complies	
B7. Front Boundary Setbacks	
Control/Requirement	Proposed
6.5m Primary Setback 3.5m Secondary Setback	8.1m Primary Setback – Dwelling House 1.6m Secondary Setback - Carport 6.1m Secondary Setback – Secondary Dwelling
Comment Dwelling House complies Secondary Dwelling complies Carport does not comply The site is a corner allotment facing both Badcoe Road and Trueman Ave. On corner allotments or sites with a double street frontage, the minimum primary front building setback is 6.5 metres, the secondary front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street variations must consider the character of the secondary street and the predominant setbacks existing to that street. While the first floor additions of the dwelling house and the secondary dwelling are compliant with the front setback provisions, the carport is non-compliant with the 3.5m requirement at 1.6m. It is recommended that required 2 space carparking area is removed from the front setback area and is located behind the 3.5m secondary front boundary setback. This will ensure compliance with the setback area and will then maintain the predominant setbacks and character to Trueman Ave.	



B9 Rear Boundary Setback	
Control/Requirement	Proposed
6m	N/A
Comment On corner allotments the rear building setback does not apply.	
D1 Landscaped Open Space and Bushland Settings	
Control/Requirement	Proposed
40%	Does not comply
Comment The proposal has a shortfall from the the required 40% landscaped open space. Areas less than 2m in width and length are excluded from the landscaping calculations. It is recommended the site be modified to provide the minimum 40% LOS. Council will not consider any variation to this control.	

C3 Car Parking Facilities The site is required to provide two car parking spaces in accordance with Appendix of the WDCP 2011. As noted, the existing provision of car parking is not satisfactory and the existing carport structure is to be removed. Two car parking spaces are to be located behind the 3.5m secondary front setback are.
C4. Stormwater No on-site detention (OSD) of stormwater will be required. Adequate detail of connection by the proposed works to the existing stormwater disposal will need to be provided with any application.
C5. Erosion and Sedimentation Adequate detail to satisfy the requirements of Part C5 is to be provided with any application.
C8. Demolition and Construction A Waste Management Plan (relating to the proposed works) is to be provided with any application.
C9. Waste Management Any application is to demonstrate the provision of adequate area for waste storage / disposal for both the principal dwelling and the secondary dwelling. Refer to the following link for more information: https://www.warringah.nsw.gov.au/your-council/forms/waste-management-guidelines



D2. Private Open Space

The private open space of the proposed secondary dwelling as outlined in Schedule 1, Part 4, Clause 17, State Environmental Planning Policy (Affordable Rental Housing) 2009 requires at least 24m² in private open space accessible from a habitable room. These spaces are to be clearly identified on any submitted plans.

D6 Access to Sunlight

Shadow diagrams are required to be submitted. A minimum of 3 hours of sunlight must be maintained to adjacent private open space for neighbouring dwellings on the 21 June between 9am and 3pm.

D8 Privacy

The DCP provides details regarding design management of privacy issues. Council will notify the adjacent neighbours to allow them opportunity to comment on concerns they may have regarding the development application and therefore privacy is often a concern where inadequate design responses have been made.

The layout of the proposed secondary dwelling will need to be redesigned to ensure that privacy is maintained to the surrounding and adjoining sites.

The proposed balcony located on the first floor could have potential privacy impacts on the southern adjoining neighbours. It is suggested that any balcony be moved further from the side setback and any changed in the design should include the incorporation of privacy screens.

It is advised that windows should be offset from windows on adjoining dwellings. Strategic location of highlight and frosted glass windows will enable light and ventilation into rooms, while limiting privacy issues. Particular consideration should be made for windows from high use/living areas, as these result in greater privacy impacts. Landscaping along the side boundaries, and the front setback area containing suitable planting will assist in providing some screening between properties. The landscape plan should outline how this will be achieved.

D9 Building Bulk

Building bulk is to be managed by the use of articulation along wall planes, stepping in the building as height increases to conform to the side boundary envelope and variation in colours and materials and features (such as windows) to provide visual interest. Details are to be provided with any future application.

E1. Private Property Tree Management

If the application seeks to remove any existing trees on the site, sufficient information to address the criteria within Part E1 is to be provided. Further advice would be sought from Council's Landscape Officer during the assessment of any such application.

E10. Landslip Risk

As the land is located in Area B, therefore a Preliminary Geotechnical report will need to be provided with any future applications.



Specialist Advice	
Referral Body	Comments
Referral Body <u>Relevant WDCP Clause</u> <i>Clause C3 Parking Facilities</i> <i>Clause C4 Stormwater</i>	<p>The Development Engineers reviewed the application and have the following comments:</p> <ol style="list-style-type: none"> 1. Vehicle access to the proposed carport and internal dimensions of proposed carport must comply with Australian Standards AS2890.1. 2. Onsite stormwater detention will not be required for the proposed development. A stormwater drainage plan must be submitted with any further application.

Relevant Council Policies
<p>You are advised of the following (but not limited to all) Council's policies available at Council's website:</p> <ul style="list-style-type: none"> • Applications for Development - Policy for the handling of unclear, non-conforming, insufficient and Amended applications: PDS-POL 140 • Stormwater drainage for low level properties PDS-POL 135 • Vehicle access to all roadside development: LAP-PL 315 • Waste PL 850

Documentation to accompany the Development Application
<ul style="list-style-type: none"> • Electronic copies (USB) • Statement of Environmental Effects • Cost of works estimate/ Quote • Site Plan • Floor Plan • Elevations and sections • Site Analysis Plan • Waste Management Plan (Construction & Demolition) • Waste Management Plan Ongoing • Certified Shadow Diagrams • BASIX Certificate • Schedule of colours and materials • Landscape Plan • Erosion and Sediment Control Plan • Stormwater Plans • Preliminary Geotechnical Report <p><i>Please refer to Development Application Checklist for further detail.</i></p>



Concluding Comments

These notes are in response to a pre-lodgement meeting held on 23/2/2018 to discuss a carport, secondary dwelling and first floor additions at 1 Badcoe Road Cromer. The notes reference preliminary plans dated 14/05/2017.

The proposal is not acceptable and requires redesign prior to submission.

The development as proposed is not supported by Council as the design is incompatible with surrounding buildings and contravenes Councils development controls.

Accordingly, as discussed in the meeting it is recommended that the existing car parking structure be removed entirely, and that a new design be created to respond to both the streetscape, surrounding dwelling houses and the Warringah Development Control Plan.

It is considered that a well-designed garage and secondary dwelling that complies with all the controls could be supported on this site.

Based upon the above comments you are advised to satisfactorily address the matters raised in these notes prior to lodging a development application.