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**Sent:** 24/03/2021 12:38:51 PM

**Subject:** FW: Submission in regard to 45 Carefree road North Narrabeen DA2019/0905

**Attachments:** Notification Responce Letter-Baulkham- 2021.pdf;

Att 45 Carefree rd Narrabeen

Att DA2019/0905

Att Phil Lane

From Tony Balkin  
43 Carefree rd Narrabeen  
Cheers



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

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**Town Plan**

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# **1 SUBMISSION INTRODUCTION**

This Submission Statement is concerning DA2021/0137 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. DA application DA2021/0137 departs from key council objectives and that the proposal does not comply with Council's Ordinances while not achieving compliance with the Council's key 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- Council review of withdrawn Development Application DA2019/0905

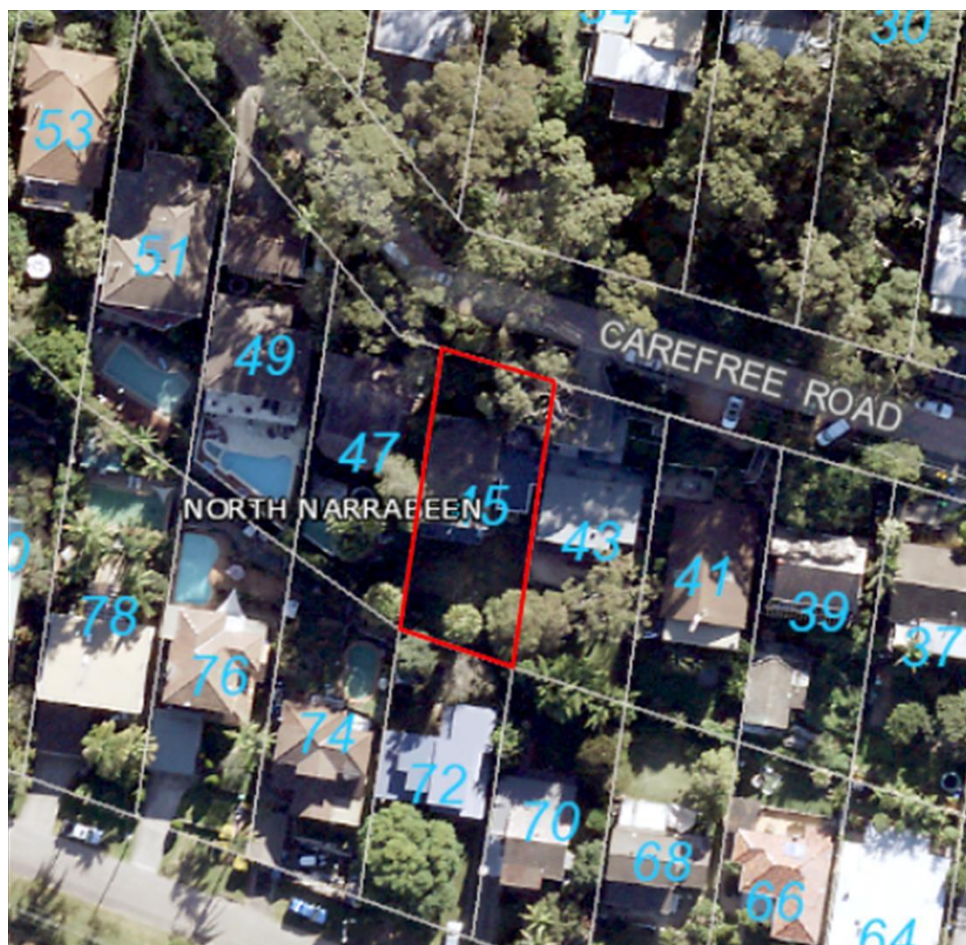
## 2 DA Proposal DA2019/0905

### 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 DA2021/0137 identifies non-compliances that will dramatically reduce the amenity to 43 Carefree Rd. Although this resubmission of DA2019/905 has addresses some elements of the previous application the proposed submission still does not address the council previous concerns adequately. The new design has again failed to address many key elements of the LEP and DCP in particular overshadowing and view loss. The application in its current has significant flaws for compliance with the 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 solar access and the livability of the existing residents in particular 43 Carefree Road North Narrabeen. Information contained within the sketch plans show limited detail on reduced levels and site calculations.

Compliance with Planning Principles, would see a more skilful full re-design that considers the surrounding neighbours and reduces the bulk and scale that is considered necessary in order to maintain the neighbours amenity, and possible through a more compliant option. 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 see the majority of the site covered in shadow for most of the day as depicted in the shadow plans. The owners of 43 carefree are also concerned the the shadow diagrams are incorrect as the is virtually zero sunlight in winter currently. Further more detailes shadows are required.

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 overdevelopment of the site and the bulk and scale of the proposal at 45 Carefree Rd.

The proposal involves non-compliances with the buildings height that are contrary to the objectives 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 highly elevated, large and poorly located that will affect overlooking and acoustic privacy. These multiple elevated decks show no regard to the amenity of the existing residents. Other lower elevated decks located at the rear of the proposed development are also oversized impacting on privacy to private open space and overlooking into the existing living areas of 43 Carefree Road.

The proposal involves large non-compliances with the objectives of the LEP and DCP in terms of acoustic and visual privacy due to deck heights that are 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 is difficult to locate accurately due to the missing survey information and seem to calculate to be over the allowable 8.5 meters. Large decks are located on the upper floor with the handrails and poorly located privacy screens produce areas that overshadow neighbouring residents. These large elevated areas add a considerable amount of bulk and scale that is over developed and not required thus producing overlooking and overshadow that is inappropriate. View loss is also increased 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.

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 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 little survey information to confirm assumed heights and setbacks

## **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.

Reducing the buildings bulk and scale and reducing deck areas 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 in visual and acoustic privacy, overshadowing and complete view losses all add to a development that shows a bulk and scale that is still inappropriate for the site and the area.



## Land Zoning Map Pittwater DCP

