



DM Planning

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18 April 2023

Olivia Ramage
Planner
Northern Beaches Council
725 Pittwater Road
DEE WHY NSW 2099

Dear Ms Ramage

**RESPONSE TO Request for Information FOR DA 2023/0170
Demolition and construction of a dwelling house at 20 Marmora Street, Freshwater.**

Thank you for your letter outlining Council's concerns regarding the above application.

The proposal has been amended to address Council's concerns with the updated plans accompanying this submission.

The responses to the issues raised by Council are outlined below:

1. Plans – Master Set

The east and west elevations have been labelled correctly.

2. Height of buildings

The pitch of the roof has been lowered so that the proposed development now complies with the required 8.5m building height.

3. Side boundary envelope

The amended proposed maintains a small breach to the side boundary envelope along the eastern elevation. Despite the non-compliance, the proposal satisfies the underlying objectives of the side boundary envelope control as follows:

- *To ensure that development does not become visually dominant by virtue of its height and bulk.*

Comment:

Given the multi-level mixed-use developments to the south, south-east and south-west of the site, there is no chance of the development becoming visually dominant. As shown in Figures 1, 2 and 3 below, the site is dominated by surrounding development.



Figure 1. View looking south-east from rear yard of 20 Marmora Street



Figure 2. High wall on the rear boundary with elevated development beyond



Figure 3. Street view showing 3 storey RFB at 18 Marmora Street, to the west of the site

The breach is minor in proportion to the overall elevation and does not result in a building that is visually dominant. The proposed development is consistent with this objective.

- *To ensure adequate light, solar access and privacy by providing spatial separation between buildings.*

Comment:

There will be no unacceptable amenity impacts (i.e., solar access or privacy) resulting from the minor breach of the side boundary envelope. The breach relates to a small section of the upper level and does not affect the private open space of neighbouring properties. It is noted that the neighbours at 22 Marmora Street have not raised any objections to the proposal. The proposed development is consistent with this objective.

- *To ensure that development responds to the topography of the site.*

Comment:

The proposed development provides a satisfactory response to the topography of the site. The proposed development is consistent with this objective.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the variation to the side boundary envelope control is supported in this particular circumstance.

4. Side setbacks

Bedroom 4 has been redesigned with the setback to the western boundary increased from 701mm to 838mm. The sliding door has been relocated to where the house steps in at bedroom 4, so that the door is more than the required 900mm from the boundary. The total portion of the house located within the 900mm setback accounts for a total of 0.03m².

Despite the minor non-compliance, the proposal satisfies the underlying objectives of the side setback control as follows:

- *To provide opportunities for deep soil landscape areas.*

Comment:

The proposed development includes a comprehensive landscape regime with substantial areas available for deep soil planting. The proposed development is consistent with this objective.

- *To ensure that development does not become visually dominant.*

Comment:

As noted above, the site is dominated by adjoining mixed use development. The area of non-compliance will not be visible in the streetscape. The proposed development is consistent with this objective.

- *To ensure that the scale and bulk of buildings is minimised.*

Comment:

The minor non-compliance is similar to the existing, non-complying garage setback. The breach is negligible in proportion to the overall elevation and does not result in a building that is visually dominant. The proposed development is consistent with this objective.

- *To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.*

Comment:

There will be no unacceptable amenity impacts (i.e., solar access or privacy) resulting from the minor breach of the side boundary setback. The breach will not be visible from the street or the adjoining property. As seen in Figure 4 below, the area of the breach is adjacent to an elevated driveway structure leading to a basement carpark. The area adjoining with driveway is densely screened with bamboo. The proposed development is consistent with this objective.



Figure 4. Fire booster, elevated driveway and basement entrance to 18 Marmora Street

- To provide reasonable sharing of views to and from public and private properties.

Comment:

The proposed bedroom 4 breach will not obstruct views. As seen in Figure 5 below, the location of the minor side boundary setback breach is adjacent the elevated concrete driveway and retaining wall and screened with bamboo.

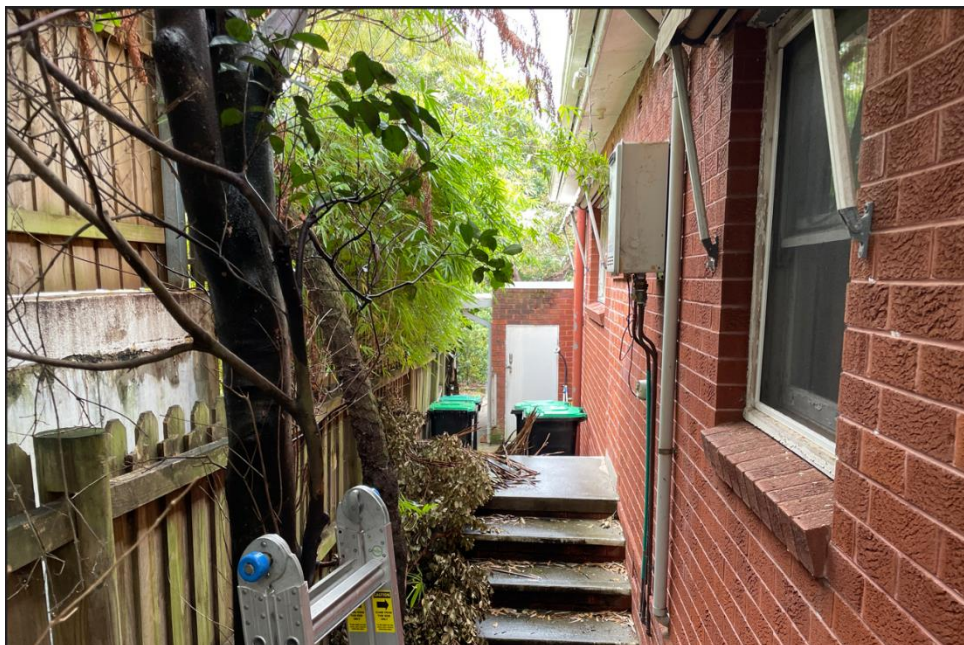


Figure 5. The bins show the approximate location of the proposed side setback breach

The proposed development is consistent with this objective.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the variation to the side boundary setback control is supported in this particular circumstance.

5. D1 Landscaped Open Space and Bushland Settings

As detailed on the amended landscaped plans, the amount of landscaped area provided on has been increased to 168.2² or 39.7%. The additional landscaping is provided by narrowing the width of the driveway. Given the comprehensive landscaping scheme proposed, which includes numerous additional plantings on the site, the landscaped area provided satisfies the objectives of the control as follows:

- *To enable planting to maintain and enhance the streetscape.*

Comment:

The landscape proposal includes additional plantings in the front setback area. In addition, the site adjoins a wide road reserve which includes existing canopy trees and provides are densely vegetated streetscape setting. The proposal satisfies this objective.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment:

The proposal retains and protects the two highly significant *Lophostemon confertus* (Qld. Brush Box) trees located in the road reserve. The proposal does not include the removal of any significant vegetation or wildlife habitat. There are no significant alterations to topographical features of the site. The proposal satisfies this objective.

- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low-lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment:

The site provides adequate landscaped open space to enable the establishment of appropriate vegetation. The landscaped plan shows the additional planting of 21 small trees and shrubs, ground covers to provide screening and minimise the bulk and scale of the building. The proposal satisfies this objective.

- *To enhance privacy between buildings.*

Comment:

A combination of boundary fencing, and perimeter hedge plantings will ensure adequate privacy.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment:

The proposal includes a rear deck and yard with garden areas. The proposal has adequate outdoor recreational spaces and therefore satisfies this objective.

- *To provide space for service functions, including clothes drying.*

Comment:

The existing service functions will be maintained. The proposal satisfies this objective.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

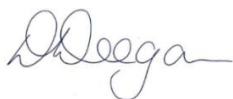
Comment:

Adequate areas of grass lawn and garden beds assist with the management and infiltration of stormwater. Stormwater will be collected and directed to Council's stormwater drainage system in Marmora Street.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP, and the variation to the landscaped open space control is supported in this instance.

Should you wish to discuss any issues raised in this letter, don't hesitate to get in touch with Danielle Deegan on 0403788 365.

Yours sincerely,



Director
DM Planning Pty Ltd