
Sent: 8/11/2022 1:09:04 PM
Subject: DA2022/1736 submission
Attachments: 16052022 ltr cncl.pdf;

DA2022/1736 6 Dick St Freshwater

Attn: Alex Keller

Dear Alex,

Please find below our cover letter and attached report. This report related to an earlier DA for this same property (**DA2022/0583**). We request that this report be now considered for this current DA, as the plans do not seem to have changed (or detail what might have changed), and so the issues raised in this earlier report remain.

This DA compares the proposal with what it says are similar houses on Carrington Parade. But those houses front onto a four-lane road with no buildings on the other side of the street, whereas Dick St is a narrow and crowded cul-de-sac. The streetscape comparisons are not appropriate and therefore misleading of the impact that the proposed complex would have on Dick St residents.

We query whether this DA considers the implications for the requested access to the driveway that 7, 9 and 10 Dick St currently share. The planned development of 6 Dick St will see two new dwellings having vehicle access to this shared driveway beyond the end of the cul-de-sac, and increasing the number of cars using this small area to around ten. Given the proposed position of this new development, including the elevation of the driveway, cars accessing 6 Dick will likely impinge on our privacy, particularly when headlights are used, as our bedrooms and living room face the planned access point.

The DA also seeks exemptions from planning laws. We also note that the owner of this property and DA is also the owner of the property immediately behind it, No 8 Coastview Place, for which there are already two approved and amended development applications that have exemptions (Section 455 Modifications Mod2021/0231 and Section 455 Modifications Mod2021/0213). Together the three DAs (and boundary adjustments between the properties) would seem to create a complex that will tower over Dick St and reduce existing vegetation in the area, and we ask that the total impact of the three DAs by the common owner be considered in the assessment.

Yours sincerely

John Mair and Louise Malady

7 Dick St Freshwater

16 May 2022

General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Sir/Madam,

DA NO: 2022/0583

**PROPOSED: CONSTRUCTION OF NEW DWELLING, SECONDARY
DWELLING & SWIMMING POOL**

PREMISES: 6 DICK STREET FRESHWATER

I refer to the above Development Application lodged on 21/04/2022. We have been engaged by Mr Mair & Ms Malady, the owner of No. 7 Dick Street, Freshwater which is located immediately opposite the site on the eastern side of Dick Street.

Following the review of documentation, we object on the following grounds:

- Streetscape / Front Setback
- Landscaped Area
- Privacy
- Height/Bulk

In this regard we provide the following specific comments:

Streetscape/Front Setback

The proposal provides for a three storey building orientated towards Dick Street. The development proposes a setback of only 3.5m to the boundary fronting Dick Street. The Council DCP at Clause B7 requires a front setback of 6.5m. The proposal results in a significance non-compliance. The setback proposed is not compatible with the established building line on the western side of Dick Street with the properties on this side of the street generally displaying large setbacks with landscaped gardens.

The significantly reduced setback as proposed does not enable planting of vegetation that could achieve a height commensurate to the building height. Further, any vegetation planted within this front setback will be exempt given its proximity to the dwelling and can be removed at any time.

Whilst it is acknowledged that the existing dwelling provides for minimal setback to the street frontage, the dwelling proposed, comprising three storeys and being substantially higher should provide for a complying front setback. A dwelling of such size and bulk should be provided with a greater setback that complies with Clause B7 of the DCP.



Aerial Photo depicting established building line

Landscaped Area

The documentation submitted indicates that the proposal provides for a landscaped area of 40% of the site. However, this calculation includes areas that should be excluded. Clause D1 of the DCP specifies that areas with a dimension of less than 2m are to be excluded from the landscape calculation.

The plan (Sheet DA07) includes areas to the south of the dwelling and terrace with a dimension ranging from 0.95m, the area to the west of the pool with a dimension of approximately 1.0m, area to the north of the driveway and the area beneath the front entry awning. The proposal therefore will not comply with Clause D1.

Construction of a new large three storey dwelling should comply with the landscaped area controls. Non-compliance with this control for a new build demonstrates an overdevelopment of the site.

Compliance could be achieved with increased setback boundary setbacks, particularly the front setback which would also result in a development more compatible for the streetscape.

Height/Bulk

Whilst the architectural plans indicate that the proposal complies with the maximum 8.5m building height, the proposal presents as three storeys and does not comply with the building height envelope. With the non-complying front setback and limited ability for landscaping the proposal results in unnecessary bulk and scale.

The proposal results in a non-compliance with the 7.2m wall height control and also encroaches the side boundary envelope.

A more considered design would provide for increased setbacks as wall heights increase and an increased front setback.

Conclusion

Following review of the plans submitted with the Development Application, Council's controls it is our opinion that the proposal has an unreasonable impact on the streetscape and the amenity of the property at No. 7 Dick Street.

The proposal does not meet the objectives or requirements of the Warringah DCP in particular Clause B1, B3, B7 and D1. These non-compliances result in a development that is of unreasonable bulk and scale and impacts on the amenity of the adjoining properties. A more appropriate design would provide for an increased front setback, increasing setbacks as wall heights increase and reduced footprint to comply with the landscaped area controls.

It is our opinion that the proposal in its current form should not be supported.

Should you require additional information or wish to discuss this matter, please do not hesitate to contact me on 0403 524 583.

Yours faithfully,



Natalie Nolan