

STATEMENT OF MODIFICATION

Application Number: N0285/17

Address: 81 Palmgrove Road, AVALON BEACH NSW 2107

Proposed Development: Modification of N0285/17 granted for the construction of a secondary dwelling with attached carport including removal of three (3) trees

Owner:
R. Saunders

Date:
September 2022

Prepared by:
N. Saunders

1.0 Introduction

This statement accompanies DA Modification Drawings (Section 4.55-1a) prepared by Sally Gardner Design & Draft, and seeks approval for modifications to the approved secondary dwelling with attached carport at 81 Palmgrove Road, Avalon Beach (Lot 381, DP16902).

The statement outlines all proposed modifications and identifies any impacts the proposed modifications may have on neighbouring properties and the relevant planning controls.

2.0 Proposed Modifications

These modifications are submitted with the aim to improve construction of the DA-approved secondary dwelling whilst continuing to respect and compliment the site's location.

This modification application is made for the following:

Construction:

Replace the concrete cantilever slab with a pier foundation.

Roof:

Decrease size of roof turret. Roof envelope and pitch remains unchanged (stormwater drainage plan as per approved DA).

Doors & Windows:

Remove bedroom corner windows (south façade);
Change large fixed glass panels to smaller sized, timber framed panels (west and east facades);
Reduce size and number of roof turret windows, and
Change balcony sliding doors to a bi-fold configuration (north façade).

Internal Works:

Change position of W.I.R to bedroom, reduce size;
Extend main living area;
Change kitchen position in main living area, and
Change bathroom entry from bedroom.

Material changes:

Replace external stone cladding with Scyon Axon cladding (north, south, east, west façades).

The proposed modifications are described in Drawings: A1 to A11 prepared by Sally Gardner Design & Draft.

3.0 Impacts on surrounding properties

The modifications in this application propose no additional height or bulk to the DA-approved secondary dwelling. As a result, there are no additional visual impacts or overshadowing to neighbouring properties.

The proposed removal of bedroom windows and reduction in roof turret area will have no additional impact on neighbouring properties.

The proposed changes to external cladding and window/door framing are in keeping with the neighbourhood character.

Landscaped areas, driveway and parking remain the same as the approved DA.

4.0 Impacts on relevant planning controls

4.1 State Planning Controls

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The development meets water, thermal and energy standards required by BASIX. A new BASIX certificate #773152S_02 has been submitted with this DA Modification.

4.2 Local Planning Controls - Pittwater Local Environmental Plan 2014

Clause 1.9A Suspension of Covenants, Agreements and Instruments

Same as the approved DA.

Clause 2.3 Zone Objectives and Land Use Table

Same as the approved DA.

Clause 4.3 Height of Buildings

Same as the approved DA.

Clause 7.6 Biodiversity protection

Same as the approved DA.

Clause 7.7 Geotechnical Hazards

The proposed site has been identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2”.

A report prepared by AscentGeo Geotechnical Consulting dated 24 August 2022, accompanies this DA modification. Subject to compliance with the recommendations of the geotechnical assessment and management plan, this proposal is in keeping with cl 7.7.

Clause 7.10 Essential Services

Same as the approved DA.

4.3 Local Planning Controls - Pittwater 21 Development Control Plan 2014

Section A Shaping Development in Pittwater:

Same as the approved DA.

Section B General Controls:

B3 – Hazard Controls

B3.1 Landslip Hazard

The controls seek to achieve the following outcomes:

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

The site is identified as affected by a geotechnical hazard. Please refer to the supporting document prepared by AscentGeo Geotechnical Consulting dated 24 August 2022.

B3.2 Bushfire Hazard

The controls seek to achieve the following outcomes:

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

The site is identified as bushfire prone land. Please refer to the supporting document prepared by Planning for Bushfire Protection dated 18 May 2022.

B4 - Controls relating to Natural Environment

Same as the approved DA.

B5 - Water Management

Same as the approved DA.

B6 – Access and Parking

Same as the approved DA.

B8 – Site Works Management

Same as the approved DA.

Section C Development Type Controls:

C1.1 Landscaping

Same as the approved DA.

C1.2 Safety and Security

Same as the approved DA.

C1.3 View Sharing

Same as the approved DA.

C1.4 Solar Access

Same as the approved DA.

C1.5 Visual Privacy

Same as the approved DA.

C1.6 Acoustic Privacy

Same as the approved DA.

C1.7 Private Open Space

Same as the approved DA.

C1.11 Secondary Dwellings and Rural Worker's Dwellings

Same as the approved DA.

C 1.12 Waste and Recycling Facilities

Same as the approved DA.

C1.23 Eaves

Same as the approved DA.

Section D Avalon Beach Locality:

D1.1 Character as Viewed from A Public Place

The proposed changes are considered to be improvements to the development and have a positive impact on character as viewed from a public place.

D1.5 Building Colours and Materials

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality. The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape. To ensure building colours and materials compliments and enhances the visual character and its location with the natural landscapes of Pittwater. The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

An informal beachside appearance of the Avalon Beach Village. (S, Ec)

This modification proposes to replace all stone cladding with Scyon Axon cladding (north, south, east and west facades) and increase window timber framing on fixed windows (west and east facades).

The proposed material changes meet the control requirements of dark and earthy tones and remains sympathetic to the surrounding neighbourhood character.

D1.8 Front Building Line

Same as the approved DA.

D1.9 Side and rear building line

Same as the approved DA.

D1.11 Building Envelope

Same as the approved DA.

D1.14 Landscaped Area – Environmentally Sensitive Land

Same as the approved DA.

4.4 Environmental Planning and Assessment Act, 1979

(1) Matters for Consideration under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*:

(a) the provisions of-

(i) any environmental planning instrument, and

(ii) Any proposed instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

(iii) Any development control plan, and

(iiia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) Any matter prescribed by the regulations that apply to the land to which the development relates.

This application is consistent with the Pittwater LEP and Pittwater DCP provisions that have been addressed in this Statement of Modification. There are no additional matters relevant to this application.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

The proposed modifications are considered to have a positive impact by improving construction, providing additional family accommodation at 81 Palmgrove Road, Avalon and creating economic opportunities for local business during construction.

(c) The suitability of the site for the development

The proposed modifications are considered suitable for the zoning of the land and of minor impact.

(d) Any submissions made in accordance with this Act or the regulations

This is a matter for Council when considering the application.

(e) The public interest

The proposed modifications will not impact the amenity of the neighbouring properties or the character of the locality and environment. Therefore, it is considered to be within the public interest.

5.0 Conclusion

This application seeks approval for modifications to the approved DA of a secondary dwelling with an attached carport including removal of three (3) trees. The principal objective for this Statement of Modification is to provide for the improved construction of the secondary dwelling that respects and compliments the site's location.

It is considered that the proposed works continue to satisfy the stated objectives of Northern Beaches Council's planning controls and policies. By maintaining the amenities of neighbours and by complimenting the existing style and character of the surrounding locality, the stated objectives have been satisfied.

The proposed modifications to DA no N0285/17 at 81 Palmgrove Road, Avalon Beach have minor environmental impacts and will result in substantially the same development at the conclusion of construction, and for this reason we request that this Section 4.55(1A) Modification is considered for approval

NICOLE SAUNDERS

The Applicant