



Pre-lodgement Notes - Written Advice Only

Application No: PLM2021/0215
Date: 11 October 2021
Property Address: 16 Coster Street FRENCHS FOREST
Proposal: Construction of a garage and storage area with a secondary dwelling above
Applicant: Helen and Thomas Cooney – Property Owners
Responsible Officer: Adam Urbancic – Planner
Meeting Held: (Yes/No) No, written advice only.

General Comments/Limitations of this Advice

These Written Only notes have been prepared by Council's Development Advisory Services Team on the basis of information provided by the applicant. Council provides this service for guidance purposes only. These notes are an account of the advice on the specific issues nominated by the Applicant.

These notes are confined to planning advice only and are based on the information provided and only address the specific issue(s) nominated by the Applicant.

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 application.

In addition to the comments made within these Notes, it is a requirement of the applicant to address the relevant areas of legislation, including (but not limited to) any State Environmental Planning Policy (SEPP) and any applicable sections of the Warringah Local Environmental Plan 2011 and Warringah Development Control Plan 2011, within the supporting documentation including a Statement of Environmental Effects, Modification Report or Review of Determination Report.

You are advised to carefully review these notes and if specific concerns have been raised or non-compliances that cannot be supported, you are strongly advised to review your proposal and consider amendments to the design of your development prior to the lodgement of any development application.



Applicants Issue(s) and Planning Comment(s)
<p>Issue</p>
<p>Setbacks</p> <p><u>Comment:</u></p> <p>The setbacks prescribed for the subject site under WDCP 2011 are as follows:</p> <ul style="list-style-type: none">• 0.9m side setback (Clause B5);• 6.5m front setback and 3.5m secondary front setback (Clause B7); and• 6m rear setback (Clause B9). <p>Based on the lot layout and its relationship to adjoining lots, it is considered that the front setback requirement applies to the southern boundary, the secondary front setback requirement applies to the western boundary, the side setback requirement applies to the northern boundary and the rear setback requirement applies to the eastern boundary. It is noted that the western boundary does not adjoin a street frontage, however, this has been taken to be equivalent to a secondary frontage due to its visibility from Coster Street and its relationship to Coster Reserve.</p> <p>The plans submitted for the pre-lodgement written advice indicate that the proposed development will be sited as follows:</p> <ul style="list-style-type: none">• 1.0m side setback (northern boundary);• 8.1m front setback (southern boundary);• 1.0m secondary frontage (western boundary); and• > 6m rear setback (eastern boundary). <p>Based on the above, the proposed development does not comply with the required secondary front setback.</p> <p>The requested variation to the secondary front setback requirement is not supported, as the proposed development does not achieve the objectives of Clause B7 of WDCP 2011, specifically those listed below:</p> <ul style="list-style-type: none">• <i>To create a sense of openness.</i>• <i>To protect and enhance the visual quality of streetscapes and public spaces.</i> <p>As such, the proposed development is not supported in its current form.</p> <p>The proposed development may be supported subject to design amendments to increase the secondary front setback to 3.5m to the wall of the building, which will comply with requirement under Clause B7 of WDCP 2011. This can be achieved by reducing both the ground floor storage area and the floor space of first floor secondary dwelling. The increased setback will ensure that a sense of openness is maintained and that the proposed development does not cause an adverse visual impact when viewed from Coster Street and Coster Reserve. The increased setback will also provide adequate space for screening vegetation within the secondary front setback area.</p> <p>In accordance with the requirements of Clause E7 of WDCP 2011, buildings are to be located to provide an outlook to public open space, without appearing to privatise that space, and be designed to maximise opportunities for casual surveillance of the public open space. In order to</p>



ensure that the proposed development meets these requirements, a minor encroachment of up to 1.2m may be permitted for a small balcony associated with the first floor secondary dwelling. The setback from the northern side boundary to the first floor balcony is to be increased to reduce the potential for direct overlooking into the private open space of Nos. 5 and 7 Robyn Avenue and a 1.65m solid privacy screen is to be incorporated at the northern end of the balcony to ensure that the proposed development achieves the requirements of Clause D8 of WDCP 2011.

The two (2) windows proposed on the northern elevation are to be frosted or high sill windows to ensure that direct overlooking is not facilitated into the private open space of Nos. 3, 5 and 7 Robyn Avenue.

Please note that this advice is provided in relation to the setbacks required for the proposed development only.

Additional Advice to the Applicant

(a) Planning Controls

You are advised to familiarise yourself with the full suite of planning controls that apply to your proposal by viewing the relevant Local Environmental Plan and Development Control Plan as follows:

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

WLEP 2011 can be viewed at: <https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2011-0649>

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

WDCP 2011 can be viewed at:
<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/book.aspx?exhibit=DCP>

(b) Development Application Lodgement Requirements

You are advised to familiarise yourself with Council's Development Application Lodgement Requirements to ensure you submit the required plans, reports and other documentation for your proposal and site (see website for details).

Documentation to Accompany the Development Application

- Lodge Application via NSW Planning Portal
- Statement of Environmental Effects
- Scaled and dimensioned plans:
 - Site Plan
 - Floor Plans
 - Elevations
 - Sections
 - Existing dwelling outline to be shown on all relevant plans
 - Setbacks, building height, wall height and side boundary envelopes to be shown on all plans as per the relevant LEP and DCP to demonstrate compliance



Documentation to Accompany the Development Application

- Schedule of Colours and Finishes
- Landscape Plan (including schedule of species to be planted)
- Landscaped Area Calculation Plan (as per relevant DCP requirements)
- Certified Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June).
- Cost of Works Estimate/ Quote
- Survey Plan (including Boundary Identification by Survey)
- Site Analysis Plan
- Demolition Plan
- Excavation and fill Plan
- Waste Management Plan (Construction & Demolition)
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- BASIX Certificate

Conclusion on Applicants Issues

A review of the proposed development based on the specific issues raised in the pre-lodgement application has been carried out and you are advised that the proposed development is **not supported** in its current form, but may be supported subject to design amendments to increase to the setback from the western boundary (secondary frontage) to comply with the 3.5m requirement, with the exception of a small balcony (up to 1.2m) associated with the first floor secondary dwelling.

Question on this advice?

Should you have any questions or wish to seek clarification of any matters raised in these Notes, please contact the member of the Development Advisory Services Team at Council referred to on the front page of these Notes.