

Dellview Design Pty Ltd

LEP Clause 4.6 Variation
Request – PLM2019/0104

9 Lolita Avenue, Forestville

Development Application
Additions & Alterations

October 2019

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Preamble

This Development Application requests a variation to the Building Height of LEP Clause 4.3 under LEP Clause 4.3 maximum height of 8.5m above natural ground level. The objective of LEP Clause 4.6 is to provide a degree of flexibility in applying certain development standards and to allow optimal outcomes through this flexibility. This Clause 4.6 Request will discuss how the objectives Clause 4.3 can effectively be met.

4.3 Height of buildings

(1) The objectives of this clause are as follows:

- (a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*
- (c) to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,*
- (d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.*

The proposed Development Application addresses the controls as follows.

(a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development:

- The proposed development sits on a site that steeply slopes down from Lolita Avenue, from the street the proposed dwelling will be viewed as a two storey dwelling that is in keeping with the other two stored dwellings that line Lolita Avenue.
- The proposed development is much lower than the dwellings that sit on the opposite side of Lolita Avenue and is consistent in scale with surrounding dwellings.

(b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access:

- The design has been based around maintaining the view of the Chatswood skyline from the balcony of number 8 Lolita Avenue as requested by way of submission to council.

- The shadow diagrams provided as a part of the development application provide confirmation that solar access complies with the standards and allowing sufficient solar access to the neighbouring properties.
- Privacy has been maintained by using privacy screens on both sides of all balconies and high level or frosted window the eastern and western walls which face the neighbouring properties.
- The proposed second floor has been moved back to towards the north to reduce the breach in height.

(c) to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,

- The meandering path and steps that gently follow the curve and fall of the land wrapping around an existing palm tree create a gentle connection with topography and landscaping.

(d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.

- The visual impact of the non-compliance is virtually nonexistent when viewed from the street as the steep slope and drop of the site are not viewed from the street. Similarly, when viewed from the reserved the visual impact of non-compliance is not visible as the slope at the top of the escarpment.
- The proposal responds sensitively to the topography and landscape by having a series of tiered balconies to reduce the appearance of bulk and scale and maintaining the mature palm trees.