

REQUEST TO VARY A DEVELOPMENT STANDARD

2 Bruce street

Mona Vale

Zoned E4 Residential

Proposal Variance of Development Standard

1 Carport within front setback of Bruce Street

2 1.8M high fence on Boundary of Narrabeen Park Parade

The Objectives of the Zone

Environmentally Sensitive land

Development Standard

1 D9.6 Front Building line

6.5M or Established Building Line whichever is the greater

2 **D9.12 Fence**

Not to exceed max. height of 1 M

Numerical Value of standard Being Varied

1 Nil **building** setback within **front Building Line**.

2 1.8M high fence height

3

The Objectives of the Standard

To achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

Equitable preservation of views and vistas to and/or from public/private places.

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Substantial landscaping, a mature tree canopy and an attractive streetscape.

Flexibility in the siting of buildings and access.

Vegetation is retained and enhanced to visually reduce the built form.

How is Compliance with the Development Standard unreasonable or unnecessary in the circumstances of this particular case

- a) The objectives of the Standard are achieved notwithstanding non-compliance with the Standard.
- b) The Development standard has been virtually abandoned by council's actions in granting consent departing from the Standard to other neighbouring properties.

Are these sufficient environmental planning grounds to justify variations of the standard

1 Carport within Front Building line of Bruce Street

There are numerous garages and other structures within the street setback either side of Bruce Street. The proposed carport is less obtrusive and will have less impact than these neighbouring structures, is an open structure that will break the building appearance down to the street.

2 1.8M fence on street boundary

There are numerous street fences along Narrabeen Park Parade of equal height. The proposed fence is no more obtrusive and impacts less than neighbouring fences. Because the property has two street frontages, Bruce Street being the adopted street frontage to the property with Narrabeen Park Parade is the rear boundary of the property and as such is allowed a 1.8M boundary fence.

Other Relevant Information to be considered to justify variation of the Development Standard

The justification for the none compliance:

- There is no impact on neighbouring solar access, view loss and privacy and is only a minimal change to the existing property.
- These are minor non-compliant variation.
- An opportunity to increase the small area of both internal and external areas without affect the bulk, scale and height of the existing building.
- There will be more screen planting than in neighbouring properties along with canopy trees.

Conclusion

Strict compliance is unreasonable and unnecessary in these circumstances and Council may allow variations to the Standard:

Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.

There is sufficient environmental planning ground to justify contravening the Building line standard. The outcome of the new proposed will not impose any amenity loss upon the neighbouring property and will achieve all the objectives of the standard