

24 March 2020

The Chief Executive Officer  
Northern Beaches Council  
Attention: Mr Gareth David

## **ADDITIONAL INFORMATION**

### **DA2020/0053 for Alterations and additions to a dwelling house and construction of an attached dual occupancy at 141 Powderworks Road, Elanora Heights**

BBF Town Planners are instructed by our clients Matt and Naomi Noffs, to submit this additional information in support of the subject Development Application. This information responds to matters raised in a recent correspondence from Council dated 4 March 2020 regarding car parking compliance. The following responds to matters raised as they relate to Landscaped area compliance and is intended to form an addendum to the Statement of Environmental Effects.

## **1 Landscaped Area**

The revised design to achieve compliant car parking has resulted in a reconfiguration of the proposed on-site car parking spaces. This has resulted in a modest reduction in the proposed development's Landscaped area.

### **1.1 D5.8 Landscaped Area General**

The property is zoned R2 Low Density Residential and is located within the D5 Elanora Heights Locality under the Pittwater DCP.

The DCP contains the numerical requirement of 60% for the site area to be Landscaped Area for properties zoned R2 within Landscaped Area 2 on the DCP Map.

The site area is 1017.5 29m<sup>2</sup> generating a Landscaped Area requirement of 610.5m<sup>2</sup>. The proposal provides for 564.1m<sup>2</sup> / 55.4% of Landscaped Area, excluding the proposed driveway manoeuvring and car parking areas. This represents a variation to the control of 46.4m<sup>2</sup> or 7.6%. This variation is acknowledged and justification is provided below having regard to the circumstances of the case, merits of the design, and in response to the objectives of the planning control.

The following aspects of the LEP and DCP are noted in relation to the calculation of Landscaped Area:

The LEP defines Landscaped Area as:

**Landscaped area** means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Based on this definition, and Council's planning officer's directions, the proposed driveway, manoeuvring, and car parking areas are excluded from the above calculation.

**Clause D5.8 of the DCP states -  
Variations**

*Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:*

*impervious areas less than 1 metre in width (e.g. pathways and the like);*

*for single dwellings on land zoned R2 Low Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).*

The objectives of the control are:

**Outcomes**

*Achieve the desired future character of the Locality.*

*The bulk and scale of the built form is minimised.*

*A reasonable level of amenity and solar access is provided and maintained.*

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

*Conservation of natural vegetation and biodiversity.*

*Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.*

*To preserve and enhance the rural and bushland character of the area.*

*Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.*

The proposed landscaped area variation is assessed as satisfactory in meeting the 'Outcomes' (objectives) of the control noting that:

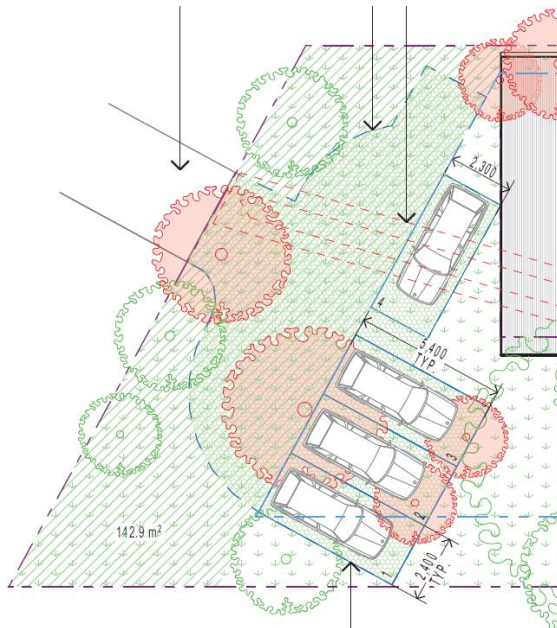
- The proposal will achieve the desired future character of the Locality through a permissible land use within the R2 zone and a built form that is compliant with the prevailing development standards under the LEP.
- The bulk and scale of the built form is appropriate given that the maximum height of the proposal complies with the height of buildings development standard for the site of 8.5m; the proposal provides appropriate building articulation and modulation along each of its elevations; the proposed building has a footprint on the site that reflects the DCP controls for setbacks; the proposed building is commensurate with the bulk and scale of other development within the site's visual setting.

- The proposal does not result in an excessive visual scale, with the proposed additions being significantly setback from property boundaries and within an articulated building presentation to the street and allotment boundaries. The proposal will therefore not inappropriately impact upon the privacy or solar access to adjoining properties.
- A landscape concept plan accompanies and supports the application. The proposal makes appropriate allowance for landscaping so that the development outcome will positively contribute to the property's visual presentation to surrounding properties and public spaces. Furthermore:
  - The proposed development maintains the property's treed frontage which will assist in visually screening the proposed development and support the proposal in maintaining its existing setting and streetscape character.
  - The proposal will maintain adequate areas to sustain trees, gardens or vegetation within the property. There remain significant, appropriately located landscaped areas on the property for vegetation and private recreational use.
  - The extent and quality of landscaped area will not inappropriately alter the spatial characteristics of the existing and adjoining properties.
  - The proposed variation in landscaped area is so modest in its extent that it would not be perceivable in the visual presentation of the property to surrounding land.
- An arborists report accompanies and supports the application; replacement on 1 tree is proposed. Outcomes relating to conservation of natural vegetation and biodiversity removal are therefore addressed. A condition of consent may reasonably be imposed to ensure a replacement tree of appropriate species is planted.
- In relation to stormwater runoff and preventing soil erosion and siltation, a stormwater management plan accompanies and supports the application and provides for an appropriate stormwater management regime. Siltation management provisions are also included within the architectural plan set. Conditions of consent may reasonably be imposed to ensure these outcomes.
- A stormwater management plan accompanies and supports the application. Natural infiltration will be facilitated using permeable paving for the car parking and manoeuvring areas. A condition of consent may reasonably be imposed to ensure this outcome. Furthermore, outcomes relating to stormwater drainage and infiltration are not comprised by the modest extent of the numerical landscaped area variation.

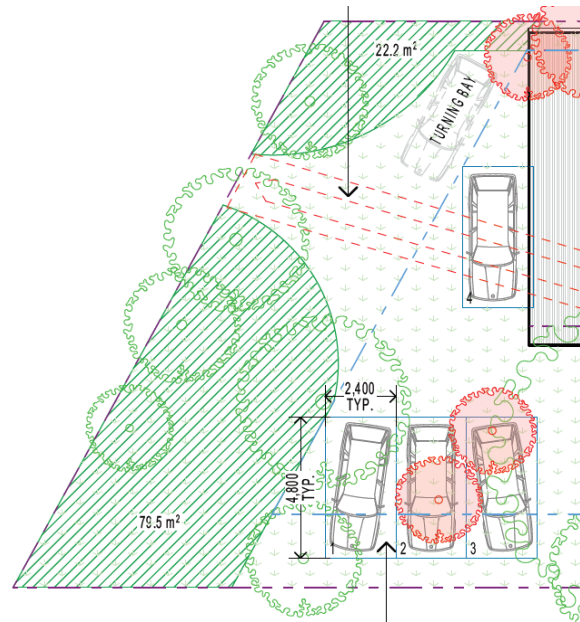
Noting these characteristics, the outcomes of this control are satisfied by the proposal. The proposed variation is assessed as minor and satisfactory in meeting the objectives of the control. In our assessment of the proposal, the circumstances and merits support the variation.

Under clause (3A)(b) of Section 4.15 of the Environmental Planning & Assessment Act, 1979 , it is appropriate for the consent authority to be flexible in applying the controls where the objectives of those controls have been satisfied.

Based on the above, it is concluded that the proposed variation is modest and contextually reasonable, satisfying the objectives of the planning control. Accordingly, our assessment finds that this aspect of the proposal is worthy of support, in this particular circumstance.



**Proposed car parking arrangement**



**Original DA car parking arrangement**

## 2 Other matters

Other matters relating to colours materials and finishes and traffic and car parking are addressed within the accompanying document package.

## 3 Conclusion

The matters raised in Council's letter dated 4 March 2020 have been responded to. The application is satisfactory in addressing the matters raised. There are no impediments to the approval of the application. Should you need to clarify any matters, I welcome you to contact me at 0408 663 971 or michael@bbfplanners.com.au.

Yours sincerely,

Michael Haynes  
**Director - BBF Town Planners**