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Statement regarding Alterations and Additions vs New Dwelling and Amendment details to DA2021/0381 - PAN87290 at 17 Ernest Street, Balgowlah Heights

Alterations and Additions vs New Dwelling:

Dwelling

Existing footings and sub floor walls of dwelling - Completely retained – 100%

Existing floor Structure – Completely retained 100%

Existing external walls – Retained except for window adjustments.

Replace existing windows, block up redundant windows, open up walls for new windows.

Internal walls – Total	38Lm	100%
Retained	22.5Lm	59%
Removed	15.5Lm	41%

Existing ceilings – Completely retained (except for stair cut out)

Roof structure to be removed except for the rear corner over proposed Laundry, front corner above living area and along the western (right) hand side of the dwelling:

Total	167m	100%
Retained	43.5m	26%
Removed	123.5Lm	74%

Roofing material – 100% Replaced

Proposal it to retain entire floor and ceiling levels and the majority (over 50%) of both external and internal walls.

Non structural - Refit existing bathroom / laundry as new bathroom - Floor structure, walls and ceiling to remain.

Non structural - Refit Sitting / W.I.R. as New Laundry – Floors, Walls and Ceilings to remain, Block up redundant windows.

External Structures – Not considered part of the dwelling

Existing Detached Carport – Completely removed 100%

Existing Rear Polycarbonate – Completely removed 100%

Existing Patio - Completely removed – 100%

Proposal

This application is for the alterations and additions of an existing residential dwelling. Alterations include the minor demolition of internal walls and structures in order to alter the internal arrangement of the dwelling, with additions inclusive of a new double garage and swimming pool, with a new first floor to support a new kitchen, dining, and living area as well as master bedroom and balcony.

Proposal works to maintain the majority of the structural elements of the existing structure. Particularly maintaining floors and ceilings with these levels determining the overall height of the proposal when an additional story is added to the existing dwelling.

Council advised in their letter that “given the extent of demolition of the existing dwelling, the development does not appear to align with description as alterations and additions and is more reflective of a new dwelling”.

We disagree with this statement, as outlined above, the proposal maintains all existing footings and sub floor walls and the entire floor and ceiling of the existing dwelling. It also retains the majority of the external walls with the adjustments being to either to replace existing windows or alter windows to suite proposed new room usage and blocking up any redundant windows again to suite new room usage. The majority of internal walls are also to be retained.

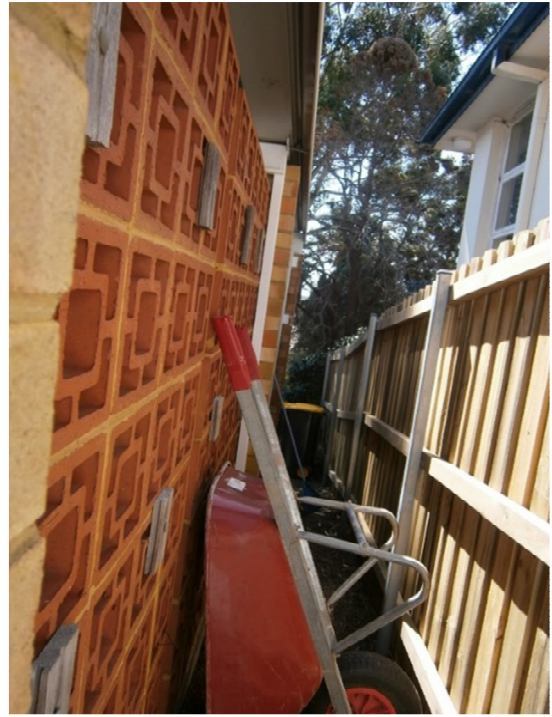
We would argue that the structural elements of the existing dwelling are largely retained.

Council’s letter also stated that the plans are somewhat unclear/inconsistent in demonstrating retained and proposed structures.

The challenge is that the proposed garage on the ground floor level essentially fills in the entire front left corner of the ground floor. This is a new structure to be built in place of the existing Carport (**see photos below**), so it needs to be shown as new work to both council and builders. The outline of the exiting residence and the Carport to be removed are shown dashed on all the elevations.

However, the dwelling walls behind this new corner infill are to be retained, with the exception of blocking up old window openings, that are now redundant, due to the garage area, where the dwelling walls behind this section are to remain.





Similarly, the new Laundry and Toilet shows only the works that are infill of the old windows....the floor, ceiling and roof in this area are all to be retained. New walls are to be built over the existing walls as existing windows are removed to allow for the new Laundry and Toilet layout.
(see photos below)



Replacement windows and new windows are all shown in colour but a number of these replacement of existing with some minor adjustments to sizes etc, but they are within the existing ground floor walls of the dwelling.

The first-floor additions and the rear entertaining deck are entirely new work with the 1st floor additions to be built entirely above the ceiling levels of the existing dwelling.

The floor to ceiling level if the 1st floor level has been reduced to 2600mm rather than matching the existing ground floor ceiling heights of 2740mm.

The overall roof height from the underside of the first floor ceiling to the top of the ridge is 2450mm which is compliant with the 2.5m roof height.

There is a 7.6m height difference from the top of the kerb to the ground level at the rear boundary which is a distance of approximately 45m

With regard to; Coorey v Municipality of Hunters Hill [2013] NSWLEC 1187

Qualitative Considerations

- How is the appearance of the existing building to be changed when viewed from public places?
*The proposed alterations and additions will enhance the streetscape and provide a positive contribution to the built environment.
The main change in appearance is due to the Additions of the garage and the 1st Floor. These are both additions to the existing structure that is generally to be retained.*
- To what extent, if any, will existing landscaping be removed and how will that affect the setting of the building when viewed from public places?
Almost nil when viewed from the public domain as the changes to the landscaping in the front yard are for replacement of the existing dilapidated driveway but essentially in the same location as existing.
- To what extent, if any, will the proposal impact on a heritage item, the curtilage of a heritage item or a heritage conservation area?
Nil
- What additional structures, if any, in the curtilage of the existing building will be demolished or altered if the proposal is approved?
As outlined above, the bulk of the existing structure is to be retained. The existing carport and rear pergola are to be demolished but these are essentially separate to the dwelling.
- What is the extent, if any, of any proposed change to the use of the building?
Nil
- To what extent, if any, will the proposed development result in any change to the streetscape in which the building is located?
Significant, but this is mainly due to the first floor additions and the garage replacing the existing carport. The proposed additions will enhance the streetscape.
- To what extent, if any, are the existing access arrangements for the building proposed to be altered?
The existing driveway access is to be retained with a garage replacing the carport. The existing pedestrian entry to the dwelling cannot be seen from the street as it is accessed through the carport area. This will be improved in the proposal with a new entry and porch addressing the street frontage.

- To what extent, if any, will the outlook from within the existing building be altered as a consequence the proposed development?
Minimal impact as windows still survey both the front and rear yard from within the dwelling. The proposal actually increases outlook over the subject property from living and bedrooms rather than over adjoining properties.
- Is the proposed demolition so extensive to cause that which remains to lose the characteristics of the form of the existing structure?
No, as outlined above, the bulk of the existing structure is to be retained. In particular, the entire floor and ceiling's as well as approximately 60% of internal walls. External walls are to be retained with adjustments to windows and doors which are alterations to the existing structure. Both the proposed first floor and the garage are additions to the existing structure and neither of these additions require the existing structure to be demolished.

Quantitative Considerations

- To what extent is the site coverage proposed to be changed?
Minimal with regard to the dwelling footprint as the proposed garage is to be built in place of the existing carport structure and the proposed entertaining deck is built over the existing outdoor pergola area.
- To what extent are any existing non-compliances with numerical controls either increased or diminished by the proposal?
There are no existing non compliances. The proposed non compliance with the overall height limit (Clause 4.6 provided with the DA) is largely due to trying work with and retain the existing structure. Specifically, the existing floor and ceiling levels.
- To what extent is the building envelope proposed to be changed?
Significant but this is due to the addition of the garage and the 1st floor. These are additions to the existing structure.
- To what extent are boundary setbacks proposed to be changed?
*Boundary setbacks at the front and side of the major additions are increased from the existing setbacks. There is a minor front setback encroachment for the new front porch area.
The proposed rear setback to the entertaining deck is less than the existing setback but still compliant with councils planning controls*
- To what extent will the present numerical degree of landscaping on the site be changed? To what extent will the existing floor space ratio be altered?
*The proposed garage is to replace the double carport. The ground floor area of the existing dwelling will be retained with only a small increase of less than 5sqm where the proposed staircase is to be located.
The first floor additions provide the most significant increase in floor area but these are an addition over the existing structure.*
- To what extent will there be changes in the roof form?
The first-floor additions require significant changes to the roof form. However, this is the case for any additional story and they are exactly that.....an addition over the top of the existing dwelling.
- To what extent will there be alterations to car parking/garaging on the site and/or within the building?
The proposed garage is to be built in place of the existing carport and will maintain parking for 2 cars.
- To what extent is the existing landform proposed to be changed by cut and/or fill to give effect to the proposed development?
Minor cut for the proposed garage as the existing carport has a significant slope over the floor level and we believe carport it is non compliant with current carparking standards.

- What relationship does the proportion of the retained building bear to the proposed new development?
The existing dwelling footprint is 137sqm and the existing carport is a further 37sqm giving a total footprint of 174sqm.
The proposed dwelling and Garage footprint is 192sqm giving a total increase of only 18sqm or 9.4%.

Amendment details proposed for DA2021/0381 - PAN87290

Amendments to plans from those originally lodged are as follows.

- Upper level eastern wall moved in 375mm so that we now comply with the 1/3 wall height setback requirement (6615 wall height requires 2205mm setback....setback provided = 2229mm)
- Upper-level roof pitch dropped from 22 deg to 15 deg.
- Proposed roof line now falls below the 8.5m height limit. The minor encroachment of the height limit has been removed.
- The garage roof pitch has been made from a lower pitching point on the external wall so that it now complies with the 1/3 wall height setback requirement (with the exception of the side edge of the parapet at the front of the garage).
- To cater for bedroom reduction on eastern side the front wall of the bedroom has been pushed out (decreasing the balcony) by approx. 500mm. The reduction in width means a bed will no longer fit on the walk-in robe wall looking out to the view but it will comfortably fit on the side wall under the eastern highlight window.
- Adjustment to the walk-in robe highlight window to reduce window size to 600h x 1000mm instead of 600mm x 1800mm.
- Adjusted the Ensuite window size to have 1500mm sill height rather than 1350mm. The Window is also to have obscure Glazing.
- Adjusted the Eastern Garage windows and Toilet windows to have obscure Glazing.
- Adjusted the dining room western facing window to have 1400mm sill height rather than 900mm sill height.
- Adjusted the Dwarf wall Privacy Screen on eastern side of front Balcony to have 1600mm wall height rather than 1500mm.
- Adjusted the Dwarf wall Privacy Screen on western side of rear Entertaining Deck and perimeter of stair to have 1700mm wall height rather than 1500mm. Also, a slatted screen has been added over the Dwarf wall behind the BBQ area.
- Adjusted the Privacy Screen Dwarf wall on eastern side of the Entertaining Deck to form an end wall rather than 1500mm Dwarf Wall.
- A proposed feature Gas Fireplace and display cabinetry and mounted TV has been added to the eastern end of the Entertaining Deck in front of the eastern end wall.
- A skylight has been added to the proposed Ensuite.
- Proposed replacement of existing Eastern Boundary side Fence with select 1.8m high fence following natural ground line for length of 4.4m then a select 2.7m high fence following natural ground line for the remaining Boundary length to the rear Boundary. Removal of the existing Western Side Boundary Fence and the proposed new side boundary Fence have been discussed and agreed upon with the neighbours at Number 15 Ernest Street.
- Proposed changes to allow for retaining wall alterations to the western side of the driveway and the widening of the Driveway.
- Proposed changes to rear garden access steps to broaden access steps to upper Lawn/Garden area and extend steps and walling as necessary to suit the proposed raised level (as per Landscaped Plan).
- A Landscape Plan has been provided to reflect the Development Application proposed work and the above changes to the lodged Development Application.

- An Updated Basix Certificate to reflect the above changes to the Development Application – See Basix Certificate – A417877 issued 24 May 2021.