



**Clause 4.6 Variation
To Development Application
For
18 Monserra Road,
Allambie Heights
NSW 2100
For
Mr & Mrs Martyn**

RAPID PLANS

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1 INTRODUCTION

This report pertaining to Clause 4.6 Variation accompanies the Development Application for the proposed alterations & additions at 18 Monserra Road in Allambie Heights.

1.1 Site

The residence is located on the southern side of Monserra Road in the residential neighbourhood of Allambie Heights.

LOCATION PLAN



1.2 Local Authority

The local authority for this site is:
Northern Beaches Council (Warringah)
Civic Centre
725 Pittwater Road
Dee Why NSW 2099
DX 9118 Dee Why
Telephone: 9942 2111

1.3 Planning Controls

Planning controls used for the assessment of this Development Application are:
Warringah Council Local Environmental Plan 2011

2 Clause 4.6 Variation to Development Application

4.6 Exceptions to development standards

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

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

2.1 Background

The application is in regard to alterations & additions proposed for the Monserra Road residential dwelling.

After reviewing Warringah Council LEP 2011 we advised that a Clause 4.6 Exception to Development Standard is required due to:

- This development is classified as a non-complying development due to the front of the upper floor addition roof being over the 8.5m Height of Buildings (Warringah LEP 2011 Part 4-4.3 Height of Buildings)
- The favourable option for Council is a Development Application with a Clause 4.6 Variation for the structures to be considered for approval.

2.2 Reasons for Clause 4.6 Variation Consideration

Carport

Warringah LEP 2011 Part 4 4.3 Height of Buildings

WLEP Height=8.5m

Proposed Height=9.588m (at front only, rear is clear)

- *Streetscape* – The visual quality of the streetscape is to be enhanced with the aged building to be updated & the upper floor proposed for a modern design to complement the area. The proposed additions provide a generally consistent pattern of development with regard to adjoining front building setbacks, and as such, the proposal will not result in any visually prominent element that will result in an unreasonable impact on the streetscape.
- *Setback* - The front boundary setback will be increased for the upper floor with the proposed 1st floor set back 17.8m from the front boundary. This is due to the existing topography being relatively flat to the front of the property (sloping approx. 2m up from front boundary) & sloping farther back within the building footprint (another 2m rise within the building footprint). The design has proposed increased setbacks for the upper floor to help justify the height encroachment with a side setback of 5.41m to the north & 4.74m to the south. This provides substantial separation to adjacent buildings & is not out of character for the neighbourhood. The inset upper floor minimises adverse visual impact & a loss of privacy which aids in providing appropriate solar access to neighbouring properties.
- *Bulk & Scale* is maintained for the area. Although the bulk & scale of the building is slightly increased, the overall size & bulk in relation to the surrounding neighbourhood is to be maintained throughout the development as shown in the photos on the following page. In addition, the height encroachment is for the front of the upper roof only. As the property slopes up towards the rear boundary, the rear of the upper floor roof is clear of both height, side boundary envelope & setback &, as such, does not add inappropriate bulk & scale that faces the rear & side dwellings.



No.26 Monserra Road



No.14 Monserra Road

- *Site Access & Circulation* is maintained with the existing access drive to Monserra Road to allow for parking for 2 vehicles. New regarded landscaped areas off the NW corner & a new rear patio allow for improved access & circulation around the rear yard. It is anticipated that the proposed development will have no detrimental impact on traffic flow & the height encroachment does not adversely impact site access & circulation.
- *Landscape Open Space Area* has been increased slightly for the proposed development. This is due to the removal of concrete areas to the rear to be returned as pervious area to provide maximum landscape open space for the proposed development.
- *Openness* - A sense of openness has been maintained with the front of the property largely remaining apart from an addition to the front entry deck, a small side addition & the upper floor addition in the centre of the building footprint. The proposed design creates flow between the internal & open space areas for the owners with elements of the proposal over the height limit to allow for a sense of openness to support the desired future character of the Allambie Heights low density area.
- *Planting* – There has been generous amount of area allocated for the provision of planting in the front area of the property with native shrubs planted along the east, north & south boundaries.
- *Views* – There is no disruption of views as the upper floor addition is in the centre of the building footprint & not substantial enough to block district views as the properties behind, to the west, are located at a higher elevation. For example, the finished ridge height of RL 102,688 AHD is below the balcony of the adjacent western property RL 103,870 AHD. The small addition maintains the scenic quality of the Allambie bushland environment as well as the visual impact as viewed from the roadway.

3 CONCLUSION

3.1 *Summary*

The resulting development has been designed to enhance the existing residential building by improving the amenity for the subject & adjacent residents while maintaining where possible the conditions set out by Warringah Local Environment Plan 2011. We consider that the proposal will impose minimal impact and maintains the streetscape & character of the neighbourhood & request that council support the Clause 4.6 Variation of the Development Application.