12<sup>th</sup> June 2019

Planning & Assessments Services Northern Beaches Council 1 Belgrave Street Manly NSW 2095

Dear Sir,

Re: Proposed Development Application-20 Hogan Street, Balgowlah Heights NSW Proposed Alterations & Additions

## Clause 4.6 Application addressing breach of Building Height

The majority of the proposed building has a building height of less than 8.5m which is the maximum building height specified in the Manly Local Environmental Plan 2013, Clause 4.3, however a small approx. 2m long and 0.19m high section of the ridge of the building will exceed 8.5m.

## **Objectives Clause 4.3 Height of Buildings**

(a) to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality,

(b) to control the bulk and scale of buildings,

(c) to minimise disruption to the following:

(i) views to nearby residential development from public spaces (including the harbour and foreshores),

(ii) views from nearby residential development to public spaces (including the harbour and foreshores), (iii) views between public spaces (including the harbour and foreshores),

(d) to provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,

(e) to ensure the height and bulk of any proposed building or structure in a recreation or environmental protection zone has regard to existing vegetation and topography and any other aspect that might conflict with bushland and surrounding land uses.

## Proposal

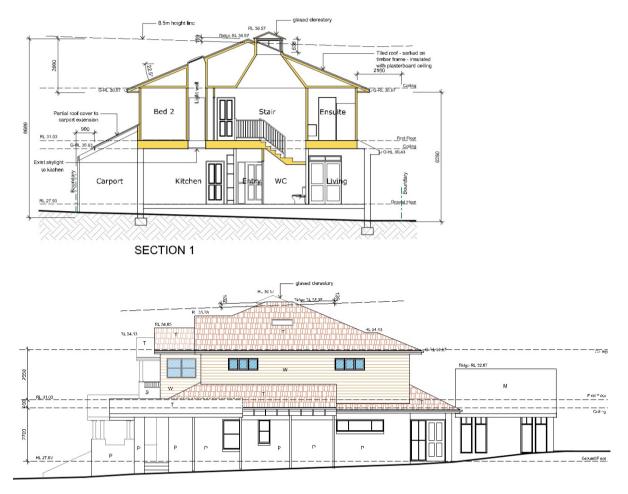
The existing residence has a high ceiling level and for the first floor addition, adequate space is allowed for the structure for the upper floor.

The roof pitch has been kept to a minimal with regards to compatibility with the existing roof slope providing a balanced streetscape and the ridge exceeds the height.

A small glased clerestory, set back near the ridge, also extends into this height limit, and it is considered tis will not add to the bulk or obstruct views from neighbouring residences.

The additional slope of the ground across and along the site, have influenced the breach of height. The view of the residence from the street, it is only of the small section of ridge that is visible.

As shown on elevations, only a small section exceeds the LEP



**ELEVATION - SOUTH** 

## Conclusion

The proposal produces an appropriate development outcome deserving of the exercise of an appropriate level of flexibility under Clause 4.6. This level of variation would be non-discernible to the casual observer. The overall design is of good architectural quality and the development satisfies the zone objectives and the objectives of the development standard.

As there is no material impact on adjoining properties or the public domain arising from the variation to the building height development standard and the objectives of the control are satisfied, it is considered that strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the case.

Therefore, we request that council support the variation on the basis that there are sufficient environmental planning grounds to justify a variance to the development standard.

Yours Faithfully

N Harvey

Neil Harvey B.Arch