

13th May 2020

The General Manager
Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: Tony Collier – Principal Planner

Dear Mr Collier,

**Development Application DA/65/2019
Supplementary Statement of Environmental Effects
Response to additional information request
Proposed Torrens Title subdivision
25 Kevin Avenue, Avalon Beach**

Reference is made to Council's additional information request of 14th April 2020 pertaining to the above application in which Council requested the preparation of a comprehensive site analysis and indicative building envelope area analysis to enable an assessment as to the consistency of the proposed subdivision with objective 1(a) of clause 4.1 of Pittwater Local Environmental Plan 2014 (PLEP) and clause C4.7 of Pittwater 21 Development Control Plan (P21DCP).

This response is to be read in conjunction with the accompanying plan 01, dated 12th May 2020, prepared by Gartner Trovato Architects. The following section of this submission will detail the response to the various issues raised.

Consistency with Objective 1(a) of Clause 4.1 PLEP

The stated objective is as follows:

- a) *to protect residential character and amenity by providing for subdivision where all resulting lots are consistent with the desired character of the locality, and the pattern, size and configuration of existing lots in the locality.*

The desired future character of the Avalon Beach Locality includes the following commentary:

The locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape.

The accompanying site analysis and indicative building envelope area analysis prepared by Gartner Trovato Architects confirms that the lots are of adequate size and dimension to accommodate compliant dwelling houses which will not give rise to unacceptable environmental, streetscape or residential amenity consequences.

In this regard, the proposal is consistent with the desired future character of the Avalon Beach Locality in that it provides for the maintenance of detached style housing displaying a 2 storey form which sits down below the surrounding tree canopy and which has been designed to respond to the topography of the site through the adoption of a design which steps down the slope in response to topography. The subdivision and indicative building envelopes and forms are consistent with the desired future character of the Avalon Beach Locality as outlined.

The proposed subdivision provides for the creation of a complimentary and compatible subdivision pattern, having regard to the broader subdivision pattern established within Avalon, with the proposed allotments having areas, dimensions and building platforms consistent with those established by similarly sized allotments within the Avalon Locality generally.

We note that an application proposing a similar subdivision at No. 27 Kevin Avenue (DA2018/1066) is currently the subject of Land and Environment Court proceedings with the proposed subdivision pattern entirely consistent with that proposed on this immediately adjoining property.

In this regard, we consider the proposal to be consistent with objective 1(a) of clause 4.1 PLEP in that the proposed lots sizes will *protect residential character and amenity by providing for subdivision where all resulting lots are consistent with the desired character of the locality, and the pattern, size and configuration of existing lots in the locality.*

Importantly, this objective requires consistency with the pattern, size and configuration of existing lots in the Locality rather than confining an assessment of consistency to that established by adjoining properties or properties along Kevin Avenue.

Clause C4.7 P21DCP – Subdivision (Amenity and Design)

Again, the accompanying site analysis and indicative building envelope area analysis prepared by Gartner Trovato Architects confirms that the lots are of adequate size and dimension to accommodate compliant dwelling houses which will not give rise to unacceptable environmental, streetscape or residential amenity consequences. In this regard, in relation to the indicative dwelling house design on proposed Lot 1 we note:

- The drawing shows a 4 bedroom – 2 living room dwelling with lower floor garage, entry and potential family/study under the living, Footprint of 185m² satisfying council requirements under the DCP-B2.2 of a minimum 175m². Total dwelling area 250m² + 30m² garage + decks;
- The lower floor is at RL 21 to suit the driveway and a garage entry. Driveway and garage levels shown on the section AA;
- The upper floor is at RL 24, allowing the rear portion to be suspended above the land to preserve the health of T12 – T20. T12 is the most important tree to retain, the plan shows how this can be achieved with a ‘courtyard house’;
- The house is setback 5.5m from the side boundary for access to the garage and to provide a passing bay on the driveway as required for driveways longer than 40m, DCP-B6.2, although the driveway on Lot 1 is 38m, the total driveway including road reserve to the garage on Lot 2 (existing house) is approximately 45m;
- All setbacks to comply with the DCP, front-6.5, side 2.5 + 1 minimum, including 9m rear setback (min 6.5) to counteract the reduced setback of the existing dwelling to the proposed new inter-allotment boundary at 3m and provide a 12m separation between potential dwellings;
- Compliant height well below 8.5m; and
- Landscape areas can achieve 60% even though R2 zone only requires 50%.

The plan has satisfied the provisions of clause C4.7 P21DCP by demonstrating:

- a) Future dwelling can achieve DFC with low scale, retention of trees and landscape setting;

- b) Both properties and adjoining properties can achieve a high level of amenity – solar access, views (district), low bulk and scale, privacy;
- c) Topography is identified in plan and section, slope is below LEP subdivision minimum;
- d) Trees for retention identified;
- e) Solar access identified;
- f) Setbacks to future dwelling footprints shown;
- g) Dwelling bulk and scale addresses visual impact;
- h) Vehicular access shown with driveway gradients, passing bay and turning areas;
- i) On-site parking location shown for both dwellings; and
- j) Future building footprint demonstrated with regards to landscape, topography and amenity

In summary, the site analysis and dwelling concept demonstrates that the undersized Lot is still capable of producing a built form outcome to satisfy council LEP and DCP requirements, making the proposal suitable for approval.

Having given due consideration to the matters pursuant to Section 4.15(1) of the Environmental Planning and assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.

Yours faithfully

Boston Blyth Fleming Town Planners



Greg Boston

B Urb & Reg Plan (UNE) MPIA

B Env Hlth (UWS)

Director

Attachment 1

Plan 01, dated 12th May 2020, prepared by Gartner
Trovato Architects