
Sent: 19/03/2020 11:44:52 AM
Subject: FW: RE: Raubal 1/158NBPP/2020
Attachments: 103 Narrabeen Park Parade - Objection Raubal.pdf;

To Thomas Prosser and relevant councilors
Please find our submission for 103 Narrabeen Park pde Mona Vale
Kind regards Gay Raubal

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Michael Haynes <michael@bbfplanners.com.au>
Date: 19/3/20 10:03 am (GMT+10:00)
To: shorebreak@optusnet.com.au
Subject: RE: Raubal 1/158NBPP/2020

Thanks Jeff.

Submission attached.

I welcome you to contact me if you have any questions.

Kind Regards

Michael Haynes
Director

BBF Town Planners

Telephone: (02) 9986 2535
Facsimile: (02) 9986 3050
Mobile: 0408 663 971

-----Original Message-----

From: shorebreak@optusnet.com.au <shorebreak@optusnet.com.au>
Sent: Thursday, 19 March 2020 9:23 AM
To: michael@bbfplanners.com.au
Subject: Fwd: Raubal 1/158NBPP/2020

Paid, thanks Mike

----- Original Message -----

Please forward to Mike
Jeff
Stove Master
0415669037

18 March 2020

The Chief Executive Officer
Northern Beaches Council
Attention: Mr Thomas Prosser

SUBMISSION TO DA 2020/0107
Impacts at 158 Narrabeen Park Parade, Mona Vale from the proposed
alterations and additions at 103 Narrabeen Park Parade, Mona Vale

BBF Town Planners are instructed by Gay and Jeff Raubal, the owners of 158 Narrabeen Park Parade, to make a submission on their behalf in relation to the proposed development.

DA2020/0107 at No. 103 Narrabeen Park Parade proposes the construction of a double carport with large storage room underneath, suspended driveway and new access stairs to the street, and lift to service the existing dwelling. The property is directly opposite my client's land.

I have inspected the subject site from the street and No 160 Narrabeen Park Parade. I have also examined the relevant documents, plans and reports including the Statement of Environmental Effects (SEE) prepared in support of the DA.

The proposed development seeks to develop significant changes to the front of the property that will negatively impact upon the highly valued ocean, headland and beach views from the principal living area of my client's property. They will also negatively impact upon the streetscape character and views enjoyed from the Bicentennial Coastal Walkway that adjoins the property and therefore trigger cumulative impacts. The works will also establish an undesirable precedent for adjoining properties without vehicle access. The following submission summarises my client's concerns in relation to the proposal.

1 Characteristics of the location and my client's property at 158 Narrabeen Park Parade

My client's property at 158 Narrabeen Park Parade is directly opposite to the subject site. It is positioned 'upslope' of the site. It accommodates a 2-storey dwelling within a landscaped setting. The principal living areas of the home are located at ground level and comprise a south east facing principal living area and terrace that over-looks the subject site to gain prized ocean, beach and headland views that are highly valued by the owners.

The rear of the property comprises a garden, swimming pool and covered outdoor space, with no Pittwater views, as incorrectly suggested in the DA where it states *"It is also noted the impacted properties all have principal living areas facing west with water views to Pittwater"* (this

is an incorrect statement and should not be considered as there are no views to Pittwater from the property's principal living areas facing west.

2 Submissions

2.1 Notable characteristics of the proposal that are inconsistent with the streetscape

The following characteristics of the proposal are identified due to the concerns that they raise:

- 2 storey structure, 1.8 m from the front boundary.
- The lower storey, for the purpose of a storeroom, has a floor the ceiling height of approximately 2.560m or a 2.760m height floor-to-floor. We submit that the proposed storage room adds significant and unnecessary height to the structure having regard to the streetscape character, the potential for view impacts, and its closeness to the front boundary. The height of the structure could be lowered, given the generous proportions and area at the street frontage to the property.
- The proposal seeks to retain the existing detached structure located adjacent to the front boundary. We submit that this limits the options for an alternative siting and design that would achieve a lower height structure. It will also result in structures (existing and proposed carparking structures) dominating the streetscape presentation contrary to the controls that seek for landscaping to be the dominant physical and visual elements (Figure 2 below).
- The majority of existing driveways and car parking structures on the beach side of Narrabeen Park Parade, including recent redevelopments, are positioned below street level. In fact, the neighbouring property (101 Narrabeen Park Parade) was redeveloped within the last 5 years and provides heights below the street level that are worthy of emulating. It's position results in a minimal streetscape impact and maximises the retention of ocean, beach and headland views.

2.2 The proposal is unacceptable because it is inconsistent with view sharing principles

The property enjoys existing views generally in a south easterly direction (towards the beach and ocean). Some of these views will be adversely impacted by the proposed development. The following considers whether the proposal results in a reasonable view sharing outcome following the 4 steps within the Tenacity planning principle.

Step 1 – the character and nature of views to be affected include beach, waves, headland, ocean, vegetation, garden areas and the roadway (figure 1).

Step 2 – the views are obtained over the front boundary of my client's property and the front boundary of the subject site. The part of the property from which the views are obtained includes the ground floor living level and the front terrace (figure 1) that is attached to the living room. These are the principal living spaces within the dwelling. Furthermore, the Bicentennial Coastal Walk adjoins the street boundary of 103 Narrabeen Park Parade, from which pedestrians also enjoy significant views of Warriewood beach, Turrimetta Headland and the ocean from Narrabeen Park Parade. It is apparent from the DA documents that the proposal will have an adverse impact upon these views, however, height profiles are needed to make a more accurate assessment of the potential impact.

Step 3 – the extent of the impact is anticipated to be significant because it appears to include the highly valued elements of the view including Warriewood Beach, Turrimetta Headland and the wave zone and ocean as evident in the below photograph (figure 1).

Step 4 – In considering the reasonableness of the proposal that is causing the impact, I have considered:

- what effect the proposal will have, compared to what effect a compliant building would have;
- the pattern (height, location, scale, type) of structures within the front setbacks on the low side of the street near the site;
- the streetscape and landscape character of properties on the low side of the street near the site;
- The principles of the Tenacity planning principle.

In my opinion the proposal causing the impact provides an inappropriate view sharing outcome which is assessed as *moderate-to-severe* that is unreasonable in the circumstances because:

- Highly valued elements of the ocean views will be lost from the principal front terrace which is an extension of the internal living space of the dwelling.
- The proposal is too high above the road level contrary to the pattern (height, location, scale, type) of car parking structures within the front setbacks on the low side of the street near the site, as described in section 2.3 below.
- The proposal is unreasonable because it relies on exceedances to planning controls as described in section 2.4 below.
- The proposal is unreasonable because there are alternatives available to achieve car parking on the site that would deliver a more compliant environmental planning outcome as described in section 2.5 below.



Figure 1 - significant views of Warriewood beach, Turrimetta Headland and the ocean are currently enjoyed from the principal living areas of the home

2.3 The proposal is unacceptable because it is inconsistent of the existing streetscape character

Properties along the lower, southern side of the street (including the subject site) enjoy uninterrupted, highly valuable, ocean, headland, and beach views. There is a pattern of garages within the front setback. A front setback DCP control of 6.5m is applicable. Whilst this has been exceeded, the exceeding structures have been regularly kept to a low height resulting in views from the road reserve / Bicentennial Coastal Walkway and less visual impact on the streetscape and maintaining the significant coastal views available. Unfortunately, the proposal departs from this pattern in that its height significantly and, in our considered opinion, unnecessarily exceeds the low scale pattern.

The retention of the existing 'original' garage, in addition to a two-storey carport with suspended concrete driveway will result in a dominance of structures within the front setback, on an environmentally sensitive (E4 zoned) site, resulting in a deficit of landscaped area adjacent to the street frontage. The front setback to the dwelling is approximately 9.5m to 14m and the site is 18.29m wide at the road frontage offering flexibility in the siting of a car parking structure and opportunity to achieve a low height structure and still achieve compliant driveway gradients.

The additional and unnecessary height is assessed as being inappropriate on the following grounds:

- On the views enjoyed from the principal living areas of my client's property
- Significant negative impact on the streetscape character. The property adjoins a section of the Bicentennial Coastal Walk that is valued for its ocean, beach, and headland views that are enjoyed from the public footpath adjoining the property at Narrabeen Park Parade.
- The undesirable precedent that will be established, noting that the subject site and 3 properties to the north east do not have vehicle access since the Bicentennial pathway was constructed in 2018.

2.4 The proposal is unacceptable because it is inconsistent the key planning objectives relating to streetscape

Many of Council's planning controls (zoning, built-form, scenic protection, and landscape objectives) that are applicable to the proposal relate to achieving positive streetscape outcomes that the proposal is inconsistent with. A summary of these controls includes:

- View sharing planning principles;
- Zone objectives which seek to provide development of a low density and scale integrated with the landform and landscape;
- Desired future character statement which seeks for landscaping to be the dominant physical and visual elements of development;
- DCP controls which seek to minimise a structures visual impacts and a balance (or indeed dominance) of landscape elements over built-form include Front Building Setback, Landscaped Area, Boundary Envelope, scenic protection. The proposal does not minimise its visual impact on the streetscape when viewed from the road given the level of coastal views it will impede.

The proposal's inconsistency with these planning provisions will translate to material negative impacts on adjoining land that are not in the public interest and are avoidable with design modifications.

Furthermore, it appears that the works proposed within the road reserve would require approval for works and structures under the Roads Act 1993. From our review of the DA documents such an application does not appear to form part of the proposed development, therefore, in our opinion the DA does not have jurisdiction to approve this aspect.

2.5 The proposal is unacceptable because there are design alternatives available

In our opinion there are design alternatives available to address the concerns that have been identified. In order to avoid these impacts, we respectfully submit that the following design changes be required:

- Demolition of the existing 'original' garage. Its removal would increase the proportion of landscaped area at the street frontage, enhance the streetscape, assist in maintaining the existing level of coastal views from the level of the pedestrian path / roadway, retain the established pattern (location and height) of garage structures within the front setbacks on nearby properties.
- Increased gradient of the driveway. The proposed gradient is less than the maximum threshold, whereas this can be increased and still meet safety requirements. Furthermore, the 18.29m width of the site is generous enough to accommodate a curved driveway and car port entry that faces 90 degrees to the roadway.
- Lower height of the structure, flat metal deck roof in place of the proposed pitched roof, lower floor to ceiling heights (or entire removal) of the 'storage room' level under the proposed garage.

For these reasons we respectfully disagree with the comment in the statement of Environmental Effects report where it states: *This application has exhausted all possible outcomes finding that a new DA which incorporates the raising of the slab and the reduction in driveway gradient is the only realistic and balanced outcome.* In our opinion, in its current form, the application is inappropriate and should not be supported by Council.

Further to the above, given the quality and extent of views obtained from this valued public walkway height profiles are requested to enable a more accurate assessment of the potential impact on these views.

2.6 The proposal is unacceptable because it is will establish an undesirable precedent

There appears to be approx. 4-5 properties to the north east of the subject site that have a similar circumstance in relation to not having vehicle access as a result of the 2018 public pathway construction. We are also advised that the applicants to the current DA own the adjoining property at 105 Narrabeen Park Parade and may have similar plans to submit a DA for a car parking structure of a similar character in a similar location should the subject DA be approved and the architects have already shared the proposed plans with my client's neighbours.

My clients support the property owners in seeking to resolve vehicle accommodation on their properties. However, they are each likely to rely on an exceedance of the Front Boundary Setback control. In our opinion the proposal would establish an undesirable precedent like the principles established in *Goldin & Anor v Minister for Transport Administering the Ports Corporatisation and Waterways Management Act 1995* [2002] NSWLEC 75. In the circumstances other land holders could in-fact expect to invoke the same provisions. The precedential effect in terms of the cumulative impact of a number of such approvals is regarded to be contrary to the streetscape character, the public interest, and therefore as a reason to warrant refusal.

If the subject application is approved, especially given that there are alternatives offered by the size and width of the property, this will undoubtedly establish a precedent for future applications. If this change to the streetscape pattern were to occur, the seascape vista from the Bicentennial Walkway along Narrabeen Park Parade will be lost.

3 Conclusion

For reasons outlined in this submission, the proposed development is unreasonable, represents an unbalanced view sharing outcome and overdevelopment of a sensitive front setback area. It will result in impacts on the streetscape character that is valued by adjoining neighbours and the broader community that use the Bicentennial pathway alike.

The proposed development fails to meet Council's planning controls and the merit assessment provisions relating to streetscape, front setback, boundary envelope, scenic protection, and landscape settings.

The proposed development represents an unreasonable enlargement, for which there are design alternatives to achieve car parking provisions and improved access on the site without having such impacts.

Yours sincerely,

Michael Haynes
Director - BBF Town Planners

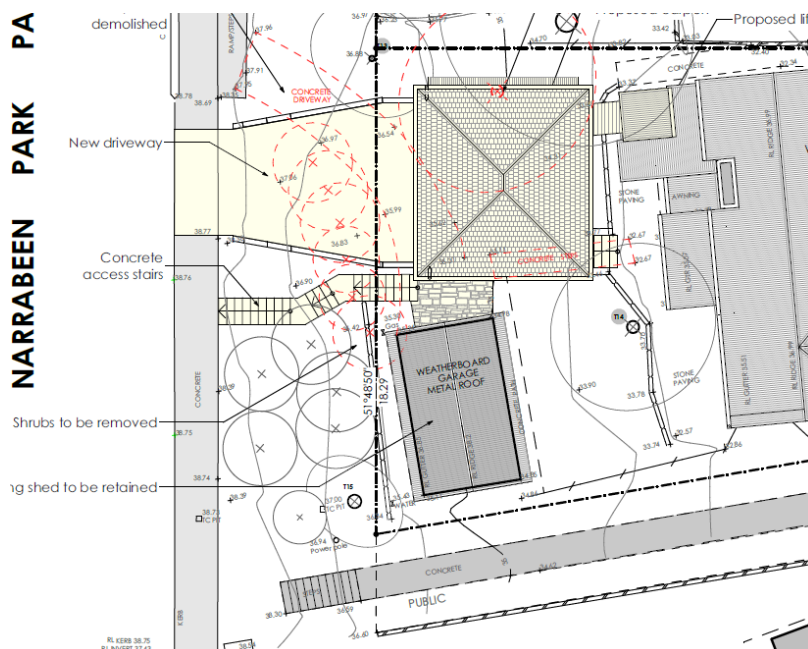


Figure 2 - The proposal seeks to retain the existing detached garage structure located adjacent to the front boundary. This limits the options for an alternative siting and design that would achieve a lower height structure. It will also result in structures dominating the streetscape presentation and removing opportunity to landscape this area contrary to the planning controls