

Clause 4.6 Variation to Warringah Local Environmental Plan 2011

Development Application: DA DA2019/0306

Development Address: 18 Alexander Street, Collaroy, NSW 2097

Relevant provision of LEP: Clause 4.6 Exemptions to development standards

Clause 4.6 Objective

- (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.

Clause 4.6 Consent

Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument.

Zone

R2 Low Density Residential

Development standard to which this Clause 4.6 variation applies

- Clause 4.3 height of buildings

Height plane objective

- (a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,
- (c) to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,
- (d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.

Maximum height subscribed

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

(2A) If the Height of Buildings Map specifies, in relation to any land shown on that map, a Reduced Level for any building on that land, any such building is not to exceed the specified Reduced Level.

The maximum height of the building is 8.5 meters

Request for exemption to maximum building height

The site topography involves a north-south directional block that elevates up from the street to the rear boundary by approximately 5 meters. The existing property is set back towards the rear of the block where the steepness of the grade is the greatest. The block increases in height by approximately 3.5m from the front of the house to the rear boundary.

The existing house is 2 storeys with a garage underneath, that is at ground level at the front and almost fully underground at the rear of the garage. The existing house currently breaches the height plane. The alterations and additions to the existing property also slightly breaches the height plane, but is substantially reduced as a result of the proposed changes to roof pitch reducing the overall height of the development. See attached Appendix 2, existing height plane non-compliance and Appendix 1, the proposed changes that results in a lower impact on the height plane to the existing property.

The proposed development with a lower pitched roof is considered more favourable to the western neighbour from a view sharing perspective, it reduces the overall non-compliance from the existing dwelling and is considered reasonable with reference to site conditions.

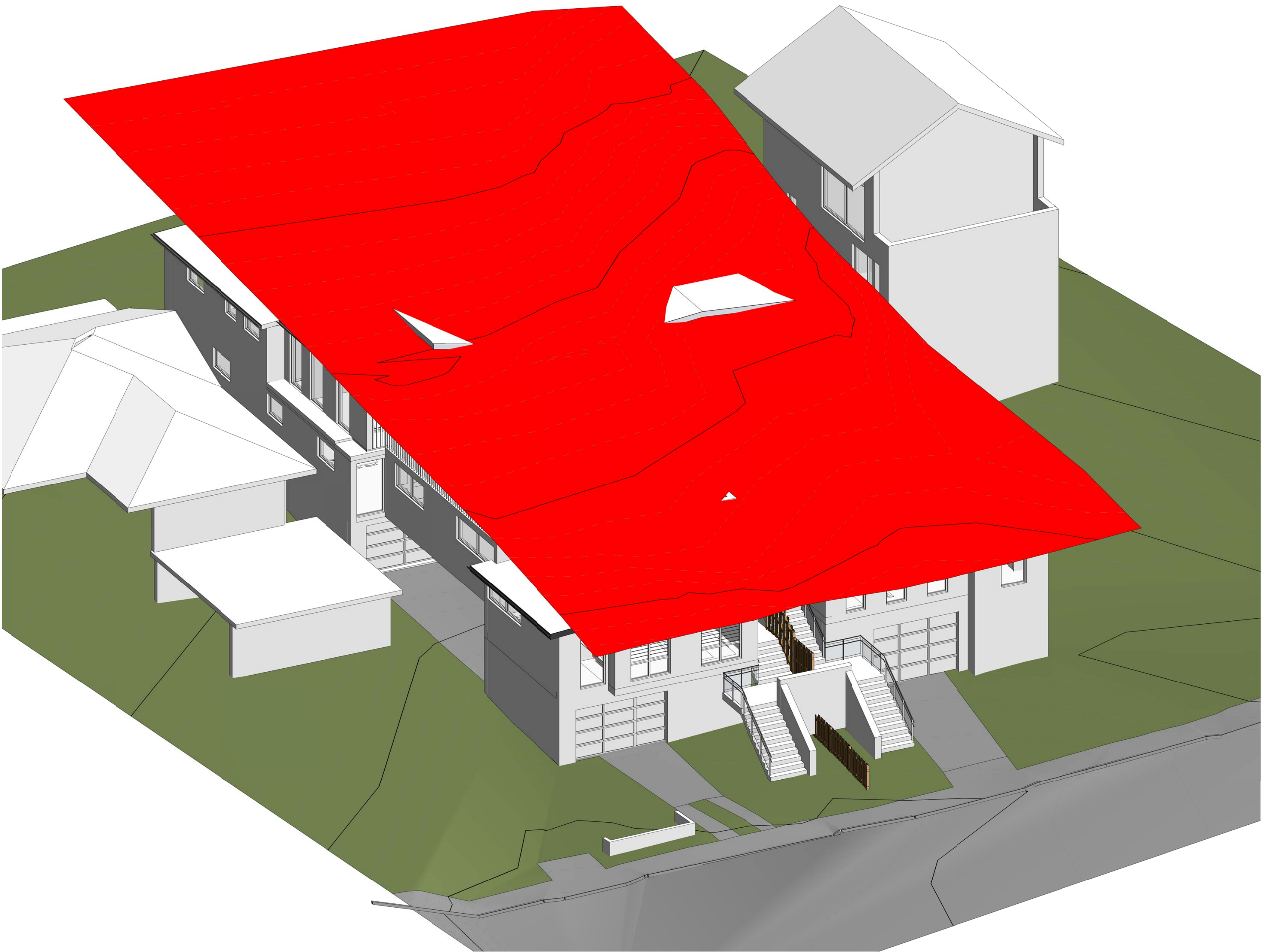
The new dwelling on lot 8 has a small non-compliance to the height plane. This breach is considered immaterial and is primarily in line with the existing dwelling non-compliance of lot 9, which is the front of the property of the primary dwelling where the ground level starts to rise quite quickly. The non-compliance is small in nature and is not considered unreasonable with reference to the site and proposed development.

The minor non-compliance to the height plane to the additional dwelling on Lot 8 at the front of the property has no impact on the visual amenity of the property from the street. The applicant has pushed the wall back of the second story at councils request to break up the front facade. The non-compliance does not negatively affect the visual street appeal of the proposed development and is considered reasonable to enable the under passage of cars to the primary dwelling that is located at the rear of the site.

The proposed development is considered in the public interest by providing additional accommodation to members of the public with additional off street parking and is consistent with the objectives of the provisions of Clause 4.3 as outlined below:

- The majority of the non-compliance is towards the rear of the property which has minimal visual impact;
- The non-compliance has been reduced from the existing structure by reducing the roof pitch to the existing dwelling, lowering the overall roof height;
- There is no impact on solar access to neighbours. The minor non-compliance will only cast a small additional shadow on the roof of the eastern neighbour;
- The building height is consistent with other dwellings within 100m of the property that includes 3-4 storey apartment blocks, a backpackers hostel, and commercial property. The neighbouring property to the west is also 4 storey in height and is much higher than the proposed development.

The applicant therefore submits to the consent authority that the proposed non-compliance with building height is considered appropriate and meets the overall objectives of the local environmental plan.



Project: 18 ALEXANDER ST
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Client: BRENDAN & SIMONE WAIGHTS

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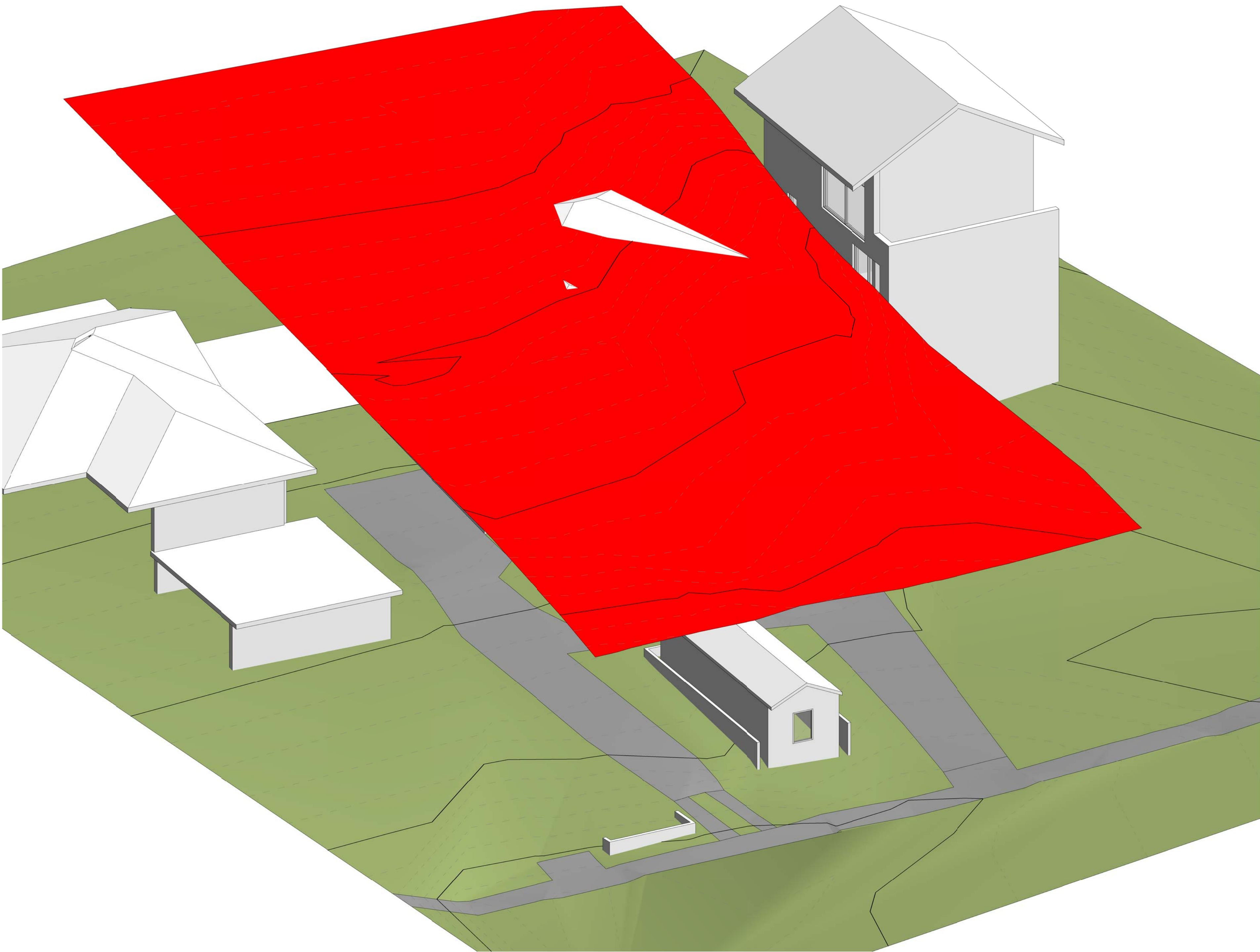
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Sheet Name
3D HEIGHT PLANE - 8.5m
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Number
DA901

No.	Description	Date
2	95% SET - FOR DA CLIENT REVIEW	24.01.19
A	FOR DA APPROVAL	04.03.19

Rev.
A



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3D HEIGHT PLANE - 8.5m EXISTING
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DA902

No.	Description
A	DA AMENDMENTS

Date
26.07.19

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