

---

**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 28/06/2024 2:28:29 PM  
**To:** DA Submission Mailbox  
**Subject:** TRIMMED: Online Submission

28/06/2024

MR Angelo Di Marco  
23 Valley RD  
Balgowlah Heights NSW 2093  
[REDACTED]

**RE: DA2024/0633 - 25 Valley Road BALGOWLAH HEIGHTS NSW 2093**

Discussion of issues with the proposed development

**Floor Space Ratio**

The site is subject to a maximum FSR of 0.45:1 under the Manly Local Environmental Plan 2013 (the LEP). The submitted architectural plans calculate the proposed floor space ratio to be 0.40:1 (243.3sqm gross floor area).

The proposed development has not included the three storage areas, vehicular access / circulation space, and the bench provided at the lower level in the calculation of gross floor area (GFA). Storage and vehicular access

and loading may be discounted from the calculation of GFA only where provided at a basement level. Under the

LEP basement is defined as follows:

Basement means the space of a building where the floor level of that space is predominantly below ground level and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

The submitted section plan indicates that the storage areas, bench and vehicular circulation do not meet the definition of basement as the floor level above is approximately 2.25m above existing ground level at the closest point.

We recommend that Council reviews the applicant's calculation of gross floor area and require a revised calculation to be submitted that meets the requirements of clause 4.4 of the LEP.

We estimate that an additional 75sqm of the lower level meets the definition of GFA which has not been included in the applicant's calculation of FSR. The inclusion of this area would result in a non-compliant FSR of 0.52:1.

**Rear Setback and Open Space**

The proposed development does not comply with the minimum rear setback or total open space requirement

prescribed by the Manly Development Control Plan 2013 (the DCP).

A minimum rear setback of 8m is prescribed to the site. The proposal provides for a rear setback of 1.06m at the

closest point. A large expanse of the building falls within this rear setback area.

The DCP prescribes a minimum open space requirement of 55% (331.87sqm). The proposal does comply with

this requirement, providing a total open space of 50.1% (302.58sqm).

The proposed development represents a substantial redevelopment of the site. Compliance could be reasonably be achieved in both the rear setback and total open space that would preserve the amenity of adjoining properties

The DCP provides guidance for development with respect to built form and streetscape presentation. Section

3.1.1.1 Complementary Design and Visual Improvement specifies the following:

a) Development in the streetscape (including buildings, fences and landscaping should be designed

to:

i) complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality;

ii) ensure the bulk and design of development does not detract from the scenic amenity of the area (see also paragraph 3.4 Amenity) when viewed from surrounding public and private land;

vii) incorporate building materials and finishes complementing those dominant in the locality.

The use of plantation and/or recycled timbers in construction and finishes is encouraged.

See also paragraph 3.5.7 Building Construction and Design.

The existing dwelling at 25 Valley Road, Balgowlah and the adjoining dwellings are consistent in their architectural

style with the predominant roof form comprising hipped roofs and materiality brick construction or render.

The design of the proposed development is modern and modular in style, featuring expansive areas of dark grey

metal cladding. This does not comply with Section 3.1.1.1 of the DCP as the development does not complement

the predominant building form, character or architectural style of the locality.

It is considered that a revised design that maintains characteristics of surrounding dwellings (i.e. hipped roof form & brickwork) materials and finishes of lighter, earthy shades would better integrate with the streetscape.

In summary, we provide the following recommendations:

► That the calculation of GFA be reviewed to ensure that areas that do not meet the definition of

basement are included in the calculation of FSR.

► That open space and rear setback non-compliances be addressed through amendment to the

architectural design to achieve a compliant total open space and rear setback.

► That compatibility of the dwelling to the broader streetscape be improved through changes to the

proposed materials and finishes and modular form.