

# Clause 4.6 Variation Statement (Building Height)



**Property:** 182 Headland Rd North Curl Curl

**Applicant:** Architexture Australia Pty Ltd

Prepared by:

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## **Clause 4.6 (Variation) Building height:**

### *Height of buildings*

*(1) The objectives of this clause are as follows:*

- (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.*

### *Exceptions to development standards*

*(1) The objectives of this clause are as follows:*

- (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.*

*(2) 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. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

## **Clause 4.6 Variation statement**

Consideration for variation of the numeric height control of 8.5m is sought in this instance because:

- It is a sloping site within a significantly sloping context surrounded by many non-compliant 2 and 3 storey homes.
- The non-compliance occurs in the middle of the dwelling (ridge) and does not add to over-shadowing, is not apparent from the surrounds, and does not add to the bulk of the structure when viewed from the street.
- The overall bulk and scale of the proposed dwelling has been minimised through the use of setbacks, variation in façade, use of lightweight materials and variety of finishes.

Variation to the building height is sought in this instance for the purpose of a first floor addition (as permitted). The variation occurs due to the slope of the site, the positioning of the existing dwelling, and limitations in altering the existing structure, whilst still achieving reasonable front setbacks and 'terracing' of the design. The variation is minor and the architectural form of the building as a whole takes into consideration issues of bulk, height and scale.

When taking into consideration the scale and form of surrounding development on Headland Road the proposal is considered appropriate in this case and will be readily absorbed into the built environment and landscaped setting of the locality.

In consideration of the objectives of the standard, strict adherence to the standard is in this case not warranted because:

- The resultant building height is in keeping with the immediate context, street-scape and surrounding developments;
- The proposed non-compliant element is not apparent from the street or surrounds;
- There is adequate separation between dwellings hence there is sufficient light, ventilation and open space so as to not appear 'crowded' or over-developed.

Where the breach occurs, decks and a lower pitched roof have been incorporated into the design to minimise perceived bulk. The proposed non-compliance does not result in any unreasonable loss of privacy, over shadowing, or view loss and there is no detrimental impact on the coastal or bushland environment.

It is our opinion that the proposed non-compliance does not detrimentally effect surrounds in this instance.

**Darren Tye, Registered Architect #8029**

