


8/04/2024

Clare Costanzo  
Northern Beaches Council

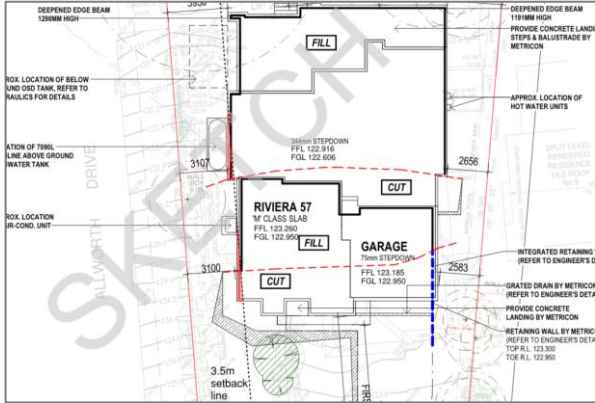
Dear Clare,

**RE: RESPONSE TO REQUEST FOR FURTHER INFORMATION FOR DEVELOPMENT APPLICATION DA2023/1703 AT 7 SIR THOMAS MITCHELL DRIVE DAVIDSON NSW 2085**

On behalf of the applicant Metricon Homes, please find below response and attached amended/additional documentation in response to Council's Request for Further Information (RFI) dated 13/03/2024.

Council RFI	Applicant Response
<p>1. Council is concerned with privacy impacts of overlooking from the windows of bedroom 1 and 4 and the first-floor balcony. It is recommended that the size of the windows are significant reduced or sufficient privacy mitigation measures put in place to reduce overlooking and direct view lines to the neighbouring properties. Council also recommends deleting or relocating the south elevation first floor balcony or alternatively providing sufficient privacy mitigation measures. Although, the inclusion of privacy screens may not be supported for the balcony as they would add additional bulk and reduce articulation of the proposed dwelling.</p>	<p>Please find attached the Amended Architectural Plans which have been amended to include 1800mm high privacy screening to the windows of Bed 1 and 4 on Elevation C (rear elevation).</p> <p>Please also note that 1700mm privacy screening has been applied to Elevation C and D of the rear balcony to combat potential overlooking into the adjoining properties. Please refer to Figure 1 below which is an example of the type of privacy screening proposed:</p>  <p><b>Figure 1: Privacy Screening Example</b></p> <p>Whilst it is noted that Council have concerns that this practice may result in an increased bulk and</p>


Council RFI	Applicant Response
	<p>scale, it is asserted that the inclusion of the screening is a positive addition and does not negatively contribute to the bulk and scale of the dwelling. It can be argued that the rear balcony and associated privacy screening can only be viewed from within the subject lot as it is not visible from Allworth Drive noting the adjoining vegetation and articulated elements that hide this from public view. It is also asserted that the occupiers of Lot 22 and Lot 2 will have limited views of the proposed balcony also noting existing vegetation, fence lines, and the contour / slope of the street.</p> <p>Furthermore, it is also argued that the type of privacy screening proposed is more than appropriate for the subject site as it allows for sufficient levels of transparency through the spacings of the slats whilst adequately blocking views that may lead to overlooking. The balcony is also seen to enhance the CPTED principles of the site as it allows for the casual surveillance of Allworth Drive which is seen to be a positive contribution to the area. The proposed rear balcony and associated privacy screening should therefore receive full support from Council as demonstrated in the above.</p>
<p>2. Footprint of adjoining dwellings and ancillary development (e.g. swimming pools) to be shown in shadow diagrams, specifically the properties to the south.</p>	<p>Please find attached the Shadow Diagrams within the Amended Architectural Plans package which now includes the structures of adjoining properties as requested.</p> <p>It is asserted that the proposed works comply with Section D6 of the DCP as sufficient solar access is provided to the PPOS areas of adjoining dwellings as Lot 2 is only impacted between 9-10am and is therefore able to receive sufficient sunlight.</p> <p>Lot 22 is partially affected throughout 9am to 3pm however a large portion of the PPOS area is available throughout the entire day. Additionally, only a small portion of the pool area is seen to be affected at 12pm-1pm with more than sufficient solar access provided to the rest of the pool throughout the hours of 9am to 3pm.</p>
<p>3. Council is concerned with the bulk and scale of the proposed two storey dwelling and specifically the limited articulation in conjunction</p>	<p>Please find attached the Amended Architectural Plans which have amended the secondary frontage along Allworth Drive to include further</p>

Council RFI	Applicant Response
<p>with the significant wall height non-compliance along the eastern secondary frontage to Allworth Drive. Design amendments are recommended to respond to the objectives of D9 Building Bulk of the Warringah DCP.</p>	<p>articulation as requested. In addition, the proposed plans have been updated in order to address the issues regarding the roof projection beyond the building envelope plan on all boundaries.</p> <p>It is to be noted that the building was slightly repositioned towards the East, creating a minor secondary street setback non-compliance, which can be calculated to be 400mm maximum in length, and approximately 1.5m<sup>2</sup> in area as shown below:</p>  <p>The proposed encroachment onto the secondary street frontage is very minor in nature, and basically represents the thickness of a brick layer. The overall encroachment is calculated to be under 1.5m<sup>2</sup> in area, and only occurs due to the tapered lot boundary. The proposed variation is of a minor nature and will not cause any adverse impacts on the surrounding locality. It is to be noted that the proposed dwelling house complies with all other remaining controls under the LEP, such as: minimum lot size, building height, local provisions, architectural roof features, preservation of trees, and earthworks. Additionally, the proposal complies with the setback requirements, landscaping requirements, building envelope, deep soil planting zone requirements and private open space requirements of the DCP. Strict compliance with the secondary street setback control would not result in a noticeable change in relation to the overall site plan in terms of building bulk, height and scale. The setbacks, landscaping and private open space would not noticeably increase with a complaint secondary street setback at 3.5m, which would require an approximately 1.5m<sup>2</sup> reduction in terms of area, and an approximate average</p>

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	<p>reduction of 200mm in depth. Based on the minor non-compliance with the secondary street setback controls, the proposal should be fully supported as it is a technical non-compliance where the proposal will sit well within the locality and provide a built form, scale and bulk that is compatible with existing dwellings in the surrounding area. In addition, the vegetation screening along the Eastern frontage of the subject allotment is proposed to be kept in situ, which will assist in mitigating the visual impacts from the proposed dwelling when viewed from the public domain.</p> <p>The proposal is therefore seen to meet the objectives of the DCP. Based on the above, it can be determined that there are sufficient environmental planning grounds to justify the exception to the secondary street setbacks that apply for the subject site. Accordingly, Council's agreement is sought to the proposed variation in regards to the secondary street setbacks, which will certainly result on a positive outcome for the subject site and will not detract from the amenity of the adjoining residents, or streetscape.</p> <p>It is asserted that the proposed works now align with the objectives outlined within Section D9 of the DCP as the proposal exhibits a good design alongside innovative architecture that is seen to improve the urban environment it is to be placed within. Additionally, appropriate setbacks, articulated building elements, material changes, windows and doors provide sufficient visual relief to minimise the visual impact the proposed development may have on the adjoining area and public domain. It is for these reasons that it is asserted that the proposed dwelling is appropriate for the subject site and is seen to result in the envisaged product for the suburb. Accordingly, Council's agreement is sought to the proposed variation in regards to the applicable secondary street setback that applies for the subject site.</p>
Further clarification is also required regarding the notation included on the plans referencing 'area for services to be provided'.	Please be advised that the note for ' <i>area to be kept clear of services</i> ' is an internal note for the Metricon Building Team to ensure that area of the site is not utilised in anyway as it is subject to potential future works that do not form part of this application.

Please do not hesitate to contact the undersigned on the below details for further discussion or if any further information is required.

Kind Regards,



**Alec Duck** *BUrbanEnvPlan*  
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