



ABN: 17 612 952 870
57 Tennyson Road
Cromer NSW 2099

Clause 4.6 Exception to Development Standards

FOR THE PROPOSED NEW HOUSE and POOL
at
44 Tennyson Road, CROMER

Lot 117
DP 14433
July 2022

Introduction:

This Exception to Development Standards is an adjunct to the Statement of Environmental Effects which has been undertaken to assess the proposed development in terms of Section 79C of the Environmental Planning and Assessment Act, and surmises that the proposal is worthy of approval on its merits.

The lot is currently occupied by a single storey timber framed dwelling in relatively poor condition. A pool on the site is also in very poor condition.

The occupants need for a six bedroom + home to accommodate the needs of a large and growing family, fits relatively well despite the unusual wedge shape of the block and the drainage easement which runs east west in the centre of the site. Despite these constraints, this proposal complies in terms of:

- Front Setback
- Rear Setback
- Side setbacks
- Wall height
- Building height
- Soft Landscaping
- No. of Storeys
- Private open Space

NON COMPLIANCE

1. DCP Part B3 Side Boundary Envelope

Objectives

- *To ensure that development does not become visually dominant by virtue of its height and bulk.*
 - *To ensure adequate light, solar access and privacy by providing spatial separation*
-

between buildings.

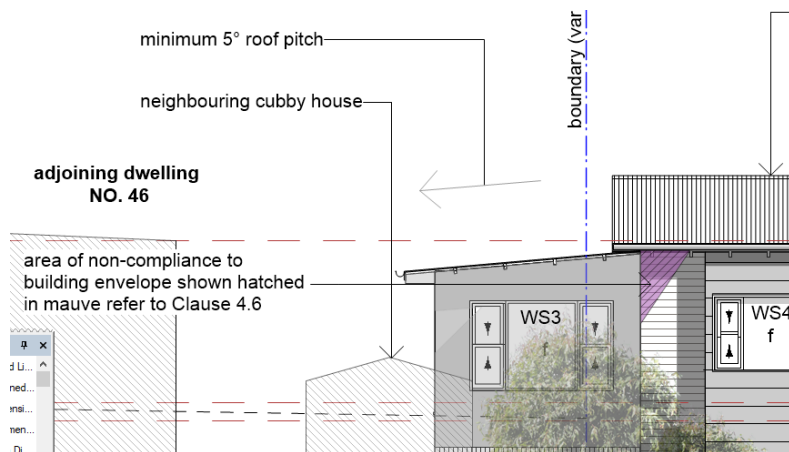
- *To ensure that development responds to the topography of the site.*

Comment: Proposal generally complies with the 4 meter building envelope control, however there is a small area on the south western side of the building that **does not comply**. The amount which is outside the B.E.C. is See below and there is minimal environmental impact, and negligible adverse shadow impact. (see shadow diagrams).

The objectives of Part B3 have been met in that;

- The development is modest enough to not be in anyway visually dominant in the context of the adjoining or surrounding properties.
- As the property to the south is 8.7 meters from the subject house much more than a normal amount of spatial separation has been achieved.
- The proposal is to step the building down the site as far as possible following the slope of the land and therefore responds ideally to the topography of the site. The wedge shape of the block meant achieving strict compliance with the building envelope control was very difficult, and given the negligible environmental impact of the non-compliant are, the objectives have been easily met.

Given that the site is wedge shaped, and that the orientation being favourable in that no undue overshadowing of No. 46 Tennyson Road would result, the tiny amount of non-compliance can be seen as acceptable. See excerpt of the South Elevation below and refer to West Elevation on drawing no. A08.



CONCLUSION

This proposal is for a new dwelling which sits well within the existing building fabric of the area. It also meets the objectives for development as set out in Warringah LEP 2011 and DCP 2011.

Despite the non compliance outlined this proposal will not result in any unreasonable or detrimental externalities that could detract from the residential amenity of the neighbouring properties, or the locality as a whole, nor any unacceptable level of demand upon the Councils' infrastructure.

We therefore request that Council support this proposal without amendment.