

SUBJECT: N0497/16 - 8 BILAMBEE AVENUE, BILGOLA PLATEAU NSW 2107 Alterations and additions to existing dwelling

Determination Level:

Principal Officer

SUMMARY OF RECOMMENDATION:

CONSENT WITH CONDITIONS

REPORT PREPARED BY:

Thomas Howell

APPLICATION SUBMITTED ON:

1 November 2016

APPLICATION SUBMITTED BY:

SUZIE COWAN
8 BILAMBEE AVE
BILGOLA PLATEAU NSW 2107

OWNER(S):

MR MARTIN BERNARD COWAN

1.0 SITE DETAILS

The site is known as 8 Bilambree Avenue, Bilgola Plateau and has a legal description of Lot 102 in Deposited Plan 27580. The site is rectangular in shape and the total area of the site is 696.8m², with a frontage of 19.05m along the southeastern side of Bilambree Avenue. The site experiences a fall of 0.83m, down from the rear of the property towards the road frontage, with a slope of approximately 2.3%. The site contains a detached single storey dwelling located centrally on the site. Adjoining the site are similar low density residential dwellings to the northwest, northeast and southeast. An undeveloped reserve adjoins the property to the rear (southwest) known as Plateau Park.

2.0 PROPOSAL IN DETAIL

The application seeks consent for alterations and additions. In particular the application seeks the following:

- Enclosure of existing deck along the northwestern elevation of the dwelling to include a new sitting room, family room, and an extension to the existing bedroom two with a new ensuite.
- A total of four (4) existing windows to be bricked up;
- Widening the existing opening between the dining room and new family room;
- A new window to the existing bedroom one, and a new ventilating skylight to its existing ensuite;
- A new ventilating skylight to the new ensuite to bedroom two;
- Three (3) skylights to be provided to the new family room;
- New timber steps to be added to the existing timber deck.

3.0 STATUTORY AND POLICY CONSIDERATIONS

The site is zoned E4 Environmental Living under Pittwater Local Environmental Plan 2014. Pursuant to the land use table in Part 2 of this instrument, alterations and additions are permissible with consent.

The following relevant state, regional and local policies and instruments apply:

- Environmental Planning and Assessment Act, 1979 (the Act)
- Environmental Planning and Assessment Regulation 2000 (the Regulation)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP BASIX)
- Pittwater Local Environmental Plan 2014 (PLEP 2014)
 - Acid Sulphate Soils Map - Area 5
 - Biodiversity Map
 - Height of Buildings Map - I ~ 8.5m
 - Lot Size Map - Q ~ 700sqm
- Pittwater 21 Development Control Plan (P21 DCP)
 - Bilgola Locality
 - Bush fire prone property
 - OSD Required
 - Landscaped Area Map - Area 1
 - Land mapped as Flora and Fauna Conservation Areas - Category 1
 - Areas of habitat mapped as Flora and Fauna Conservation Areas - Category 2

Variation to development standards:

The application of Clause 4.6 is not required.

4.0 BACKGROUND

N0497/16 was lodged at Council on 01/11/2016 and referred to Council's Development Engineer and Natural Resources Officer. The application was also referred to the Rural Fire Service NSW for comment.

A search of Council's records revealed no related documentation.

5.0 NOTIFICATION

N0497/16 was notified from 10/11/2016 to 24/11/2016 to adjoining property owners in accordance with Council's notification policy. The site inspection on the 02/12/2016 confirmed the placement of the notification sign. During the notification period, zero submissions were received.

6.0 ISSUES

- C1.5 Visual Privacy
- D3.7 Side and rear building line
- D3.11 Landscaped Area - Environmentally Sensitive Land

7.0 COMPLIANCE TABLE

- T - Can the proposal satisfy the technical requirements of the control?
- O - Can the proposal achieve the control outcomes?
- N - Is the control free from objection?

Control	Standard	Proposal	T	O	N
Pittwater Local Environmental Plan 2014					
1.9A Suspension of covenants, agreements and instruments			Y	Y	Y
Zone E4 Environmental Living			Y	Y	Y
4.3 Height of buildings			Y	Y	Y
5.10 Heritage conservation			Y	Y	Y
7.1 Acid sulfate soils		Acid Sulfate Region 5.	Y	Y	Y
7.6 Biodiversity protection			Y	Y	Y
7.10 Essential services			Y	Y	Y
Pittwater 21 Development Control Plan 2014					
3.1 Submission of a Development Application and payment of appropriate fee			Y	Y	Y
3.2 Submission of a Statement of Environmental Effects			Y	Y	Y
3.3 Submission of supporting documentation - Site Plan / Survey Plan / Development Drawings			Y	Y	Y
3.4 Notification			Y	Y	Y
3.5 Building Code of Australia			Y	Y	Y
3.6 State Environment Planning Policies (SEPPs) and Sydney Regional Environmental Policies (SREPs)			Y	Y	Y
A1.7 Considerations before consent is granted			Y	Y	Y
A4.3 Bilgola Locality			Y	Y	Y
B1.3 Heritage Conservation - General			Y	Y	Y
B1.4 Aboriginal Heritage Significance		No apparent issues.	Y	Y	Y
B3.2 Bushfire Hazard			Y	Y	Y
B3.6 Contaminated Land and Potentially Contaminated Land			Y	Y	Y
B4.2 Flora and Fauna Conservation Category 1 and Wildlife Corridor		<p>Council's Natural Environment Office provided the following comments:</p> <p><i>The property contains a modified landscape typical of a suburban garden. The proposed works include construction of an addition over an existing deck. All works are within the existing building footprint and no trees are proposed for removal. No changes to landscaping have been proposed.</i></p>	Y	Y	Y

Control	Standard	Proposal	T	O	N
B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor		Comment in B4.2	Y	Y	Y
B5.3 Greywater Reuse			Y	Y	Y
B5.10 Stormwater Discharge into Public Drainage System			Y	Y	Y
B8.2 Construction and Demolition - Erosion and Sediment Management			Y	Y	Y
B8.5 Construction and Demolition - Works in the Public Domain			Y	Y	Y
C1.1 Landscaping		Comment in B4.2	Y	Y	Y
C1.2 Safety and Security			Y	Y	Y
C1.3 View Sharing			Y	Y	Y
C1.4 Solar Access			Y	Y	Y
C1.5 Visual Privacy		For comment see section 8.0 Discussion of Issues below.	Y	Y	Y
C1.6 Acoustic Privacy			Y	Y	Y
C1.7 Private Open Space			Y	Y	Y
C1.12 Waste and Recycling Facilities			Y	Y	Y
C1.13 Pollution Control			Y	Y	Y
C1.23 Eaves			Y	Y	Y
D3.1 Character as viewed from a public place			Y	Y	Y
D3.2 Scenic protection - General			Y	Y	Y
D3.3 Building colours and materials		The schedule of finishes submitted with the application indicates the proposed additions to match the external colours of the existing dwelling. A variation is supported.	N	Y	Y
D3.6 Front building line			Y	Y	Y
D3.7 Side and rear building line		For comment see section 8.0 Discussion of Issues below.	N	Y	Y
D3.9 Building envelope			Y	Y	Y
D3.11 Landscaped Area - Environmentally Sensitive Land		For comment see section 8.0 Discussion of Issues below.	N	Y	Y
D3.13 Fences - Flora and Fauna Conservation Areas			Y	Y	Y
D3.14 Construction, Retaining walls, terracing and undercroft areas			Y	Y	Y
State Environmental Planning Policies and other					
SEPP (Building Sustainability Index: BASIX) 2004			Y	Y	Y

8.0 DISCUSSION OF ISSUES

- **C1.5 Visual Privacy**

The positioning of the large glazed windows of the proposed additions may negatively affect the visual privacy of the adjoining lots, in particular, to the northwestern boundary at 10 Bilambee Avenue. Current landscaping along the southeastern boundary of the neighbouring property provides some natural screening, however the existing side boundary fence does not meet 1.8m in height. The low height of the boundary fencing allows the northwest facing windows of the rear sitting room to be positioned above the height of the fence. Whilst this window does pose some direct overlooking into the neighbouring property's open space, the encroachment is not considered major and allows the adjacent property to experience more than 50% of private open space. The single storey nature of the additions are considered appropriate in bulk and scale, and do not impose any adverse impact to the amenity of the neighbouring properties.

- **D3.7 Side and rear building line**

The side setback control for land zoned E4 is 2.5m to at least one side; 1.0m to the other.

The proposed additions do not alter the existing side setbacks, 1.45m to the northwest and 1.435m to the southeast. The proposal does not attribute to excessive bulk and scale and will not result in any adverse impacts. The works are consistent with the character of the Bilgola Locality, and a variation is considered acceptable.

- **D3.11 Landscaped Area - Environmentally Sensitive Land**

399.7m² or 57% of the total site.

Whilst it is acknowledged that the proposed landscaped area fails to meet the 60% requirement, the proposed alterations and additions are located entirely over existing hard surface area. The non-compliance with the control is considered acceptable on merit as the proposed works will not create adverse built or environmental impacts on the subject site or surrounding properties.

9.0 CONCLUSION

The Development Application has been assessed in accordance with the provisions of Section 79C of the Environmental Planning and Assessment Act 1979, Pittwater Local Environmental Plan, Pittwater 21 Development Control Plan and other relevant policies as listed at item 3.0.

The proposal has been found to be consistent with the outcomes of the relevant controls of P21 DCP. The proposal is considered to be consistent with the existing character of Bilambee Avenue and the desired future character of the Bilgola Locality. As a result of these considerations the proposal is recommended for approval.

RECOMMENDATION OF DEVELOPMENT OFFICER/PLANNER

That Council as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 grant consent to Development Application N0497/16 for the alterations and additions to the existing dwelling at 8 Bilambee Avenue, Bilgola Plateau subject to the conditions of consent.

Report prepared by

Thomas Howell
PLANNER

Date: 20 December 2016

