
Sent: 8/08/2019 5:38:22 PM
Subject: DA 2019/0730
Attachments: 71 Queenscliff Road, Queenscliff (Objection).pdf;

please see attached submission

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Have a nice day

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The General Manager
Northern Beaches Council
725 Pittwater Road
DEE WHY NSW 2099

8 August 2019

Attention: Benjamin Price

Dear General Manager,

71 & 71A Queenscliff Road, Queenscliff
Development Application No. 2019/0730
Demolition Works, construction of a residential flat building and lot consolidation

Background

We have been engaged by the owners of Unit 5, no 75 Queenscliff Road, Queenscliff, Owen and Debbie Evans, who have recently been notified of a Development Application at 71 and 71a Queenscliff Road, Queenscliff. No. 75 Queenscliff Road is located immediately to the west of the subject site and Unit 5 is located on the second floor of the residential flat building with a balcony located on the eastern corner.

DA2019/0730 involves the demolition of two existing dwellings, construction of a 15 unit/ five storey residential flat building with 2 basement levels with provision of parking for 31 vehicles which is all within the immediate proximity of our client's site.

View of Locality

The general locality can be described as a mix of residential uses with residential flat buildings located on the northern side of Queenscliff Road in the R3 zone and lower scale detached dwellings on the southern side of the street where an R2 zoning exists. The locality, which is a short walk from Queenscliff Beach and Freshwater village, is hilly with views of the ocean available from much of the immediate locality.

The opportunity has been taken to view the subject property in the context of surrounding development and to consider plans and supporting documents relating to the development application which was available on the Northern Beaches Council website. Additionally, the site has been viewed from our client's property.

Currently 5/ 75 Queenscliff Road benefits from views due to the lower scale development that exists on the subject development sites 71 and 71a Queenscliff Road, Queenscliff.

Zoning and Land Use Generally

The property is zoned R3 Medium Density Residential under the provisions of the Warringah Local Environmental Plan 2013 (WLEP2011). Properties located on the northern side of Queenscliff Road have the same zoning and all have a maximum height of 11 metres.

Nature of Submission

Having considered the site, its surrounds, neighbours and the details of the application currently before Council, our clients are understanding that an increase in density of the site will happen, but wish to ensure that this be done in a manner considerate of neighbouring properties views, privacy and amenity.

The objection is based on various grounds which are detailed in the following paragraphs.

Visual privacy

The design of the proposed residential flat building includes large balconies at the front of the site and windows along the western elevations which faces our clients dwelling. We urge Council to ensure that window sizes are minimised, privacy screens included, and opaque windows used. It is critical that window locations do not directly look into our client's dwelling to maximise privacy for both sites. The key living area outlook from 75 Queenscliff Road is on their eastern elevation and across the subject site. If views into windows are available there will be significant privacy implications for both sites.

Solar Access

It is acknowledged that the orientation of the lot allows for the solar access impacts to be limited for our clients' site. However, the scale of the development, the wall heights, accentuated by the large amount of excavation do result in a large amount of bulk which will be apparent from 75 Queenscliff Road. The scale of the development will be to the detriment of light and an open outlook and accordingly, it is critical that issues such as height, building envelope and setbacks are compliant.

Parking

Queenscliff Road has very limited on street parking due to its proximity to the beach and public transport and there will undoubtedly be some spill over onto the street through the significant intensification of the use of the land. The location is not typical with a large additional flow of traffic and people parking on weekends due to the beach, and many non-residents parking in the street on weekdays while they catch the bus to work. In addition, the site has a bus stop out the front, which further reduces the parking available for visitors.

These factors and the impact on traffic, neighbours and parking have not been adequately considered, and will result in major disruption of the narrow residential street. We trust that Council's engineer will consider these uses and the impact of the additional 13 dwellings with very limited visitor parking when an assessment of parking and traffic is undertaken.

Landscaped area

The DCP requires a landscaped area of 50%. The proposed development provides significantly less at 40.5%, nearly 120m² short of the required area. This vast difference is caused by the insufficient setbacks, and we strongly suggest that modifications to the design are needed to resolve this issue. For

the residents of 75 Queenscliff Road, an increase to the setback to the compliant 4.5 metres would allow for vastly improved amenity.

Number of storeys

The DCP states that the site is permitted 3 storeys. The proposed development is 5 storeys plus 2 levels of basement car parking. From 75 Queenscliff Road, these storeys are clearly evident and their impact results in bulk, scale and privacy impacts for residents of the neighbouring site. The breach in the number of storeys is further exacerbated by the height noncompliance proposed by the development. It is considered that the only reasonable solution would be for the deletion of at least the upper floor. It is highly undesirable for a precedent to be set for greater than 3 storeys on Queenscliff Road as this could potentially lead to other developments also breaching the storey limit and impacting the character and scale of the locality.

Height

The applicant has submitted a clause 4.6 variation with the proposal as the height limit of 11 metres is breached, with a maximum height of 11.864 metres proposed. It is not considered that any variation to the height should be considered on a site where such significant excavation is proposed, as the apparent height will be far greater when viewed from all perspectives, particularly the side neighbours.

Building Envelope

A 5-metre building envelope affects the site. The proposed development includes breaches to this envelope. Due to the fact that the site includes substantial excavation and accordingly wall heights are far greater than measured from natural ground level, it is considered essential that compliance with the envelope is maintained. Given the huge increase in bulk and scale when viewed from 75 Queenscliff Road, we request that Council ensures that no breaches are permitted.

Side Setbacks

Side setbacks of 4.5 metres are required for the subject site. These are not fulfilled on either side. These are large breaches to the control and given the scale of the development and will have significant impacts for neighbours and the streetscape. The impacts for the residents of 75 Queenscliff Road are great and to the detriment of privacy, bulk and scale and light.

There is also concern that with inadequate width, the use of these areas for courtyard space and the basement levels below, that the possibilities for screen planting and vegetation with limited deep soil zones are significantly reduced to the further detriment of 75 Queenscliff Road residents.

Front Setback

Private courtyards are proposed within the front setback. It is preferable from a streetscape viewpoint for this area to be open and not screened by high fences. The use of this area as courtyards is a result of inadequate landscaped area. These courtyard areas have basement areas below and accordingly have limited ability to provide adequate screen planting. A lesser building footprint with greater setbacks would allow for all of these issues to be resolved.

Views

Valuable views are achieved from the eastern windows of unit 5, being the key living areas and bedrooms. In addition, the unit benefits from a large balcony, which also has views available to the ocean. These water views to the ocean are of high value and will be to a large degree lost as a result of the development proposal. Considering the height, number of storeys, building envelope, side setback and landscaped area breaches, we believe that a compliant development would result in a lesser view loss. We request that the Council officer visit the site to understand the implications, particularly from the key living area.

Excavation

Extensive excavation is proposed for the site with 2 levels of basement car parking and significant cut for the levels as is detailed on Section D. The implications for neighbouring sites of this work is concerning and we note that Council has already stated in the pre-DA advice that it was excessive.

While it is suggested that the degree of excavation be modified, should the DA be successful in its current form, it is key that dilapidation reports are undertaken prior and post construction and that works be appropriately monitored by structural and geotechnical engineers as recommended in the geotechnical report.

A concern is also raised regarding construction traffic management with a bus stop located at the front of the site. We request that specific conditions be imposed, should the application be successful, to ensure that the number of trucks, parking and conflict with the bus stop be appropriately dealt with to ensure that disturbance to neighbours and spill of excavated and building materials is kept to a minimum.

Conclusion

The proposed application results in a development which is considered an overdevelopment. Non-compliances with regard to landscaped area, setbacks, building envelope, storeys and height are representative of the proposed overdevelopment. The amenity impacts for neighbours including our client, with regard to visual and acoustic privacy and views are considered to be ample grounds alone for refusal. The significant area of excavation is also very concerning and undesirable.

Considering of all these factors we urge the Council to refuse the application in its current form or alternatively request the applicant revise the proposal to meet current standards.

If you have any further enquiries on any matters in this regard, please do not hesitate to contact me on 0413341584.

Yours faithfully,



Sarah McNeilly
Director
Watermark Planning