
Sent: 18/10/2021 2:13:41 PM
Subject: submission re: 14 Prince Alfred Pde, Newport DA2021/1682
Attachments: 14 Prince Alfred Parade NEWPORT - submission.pdf;

Please find attached a submission regarding the DA at 14 Prince Alfred Parade, Newport.

Kid regards,
Will

**William Fleming
Planner**



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12 October 2021

The General Manager
Northern Beaches Council

Attention: Stephanie Gelder

**RE: DEVELOPMENT APPLICATION DA (DA2021/1682)
PROPOSED CARPORT, ELEVATED WALKWAY AND LIFT
14 PRINCE ALFRED PARADE, NEWPORT**

1.0 INTRODUCTION

I write in response to the development application lodged for 14 Prince Alfred Parade. I have reviewed the submitted documentation and have a clear understanding of the concerns raised by neighbours in relation to this subject DA.

2.0 HEIGHT OF BUILDINGS; CLAUSE 4.6 REQUEST

It is considered that the applicants have not adequately demonstrated that strict compliance with the height of building development standard is unreasonable and/or unnecessary in this instance and they have not provided sufficient environmental planning ground to warrant the variation.

The subject site is located within an E4 zone and the clause 4.6 provided has not adequately demonstrated consistency with the objectives of the zone. The objectives are as follows:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

The proposal provides for an unnecessary elevated covered walkway with a lift providing access from the carport. The elevated walkway and lift project above the 8.5m height standard and does not meet the objectives of the control. The structure will become visually dominant within the landscape and detracts from the special landscape characteristics of the locality. The structure has no regard for the topography of the site nor has any attempt been made to integrate it with the landform. We note that an inclinor already exists on the site that starts at the existing concrete slab down to the dwelling along the northern boundary. It is also understood that a new carriage for the inclinor is to be installed once works are complete on the neighbouring

property at 14a Prince Alfred. This is not shown on the survey which is discussed further within this submission.

With regard to the objectives of the height of buildings, it states that:

- a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*
- b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- c) to minimise any overshadowing of neighbouring properties,*
- d) to allow for the reasonable sharing of views,*
- e) to encourage buildings that are designed to respond sensitively to the natural topography,*
- f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*

The clause 4.6 has not demonstrated consistency with these objectives. The excessive height is inconsistent with the scale and character of development in the local area. The height creates a significant visual impact and view loss when viewed from neighbouring properties. The development will detract from the natural environment and does not respond appropriately to the topography. As previously mentioned, access from the carport to the dwelling can be achieved via stairs and/or inclinator that would not result in the significant amenity impacts.

It is hard not to see this walkway and lift as a distraction from what the applicants are truly trying to achieve on this site due to the obvious unreasonableness of what is being proposed. The written clause 4.6 is inadequate and has not sufficiently demonstrated that strict compliance is unreasonable or unnecessary in this instance nor consistency with the zone or building height standard.

3.0 PRIVACY; NEWPORT LOCALITY CHARACTER

The elevated walkway and lift will result in unreasonable overlooking concerns that directly impact on the visual privacy to neighbouring dwellings. The mechanisation required to operate a lift of that size would give rise to unreasonable noise impacts.

With regard to the Newport Locality, the proposal does not align with the desired future character of the area. In particular:

The Newport locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a natural landscaped setting, integrated with the landform and landscape.

The elevated walkway and lift makes no attempt to respond to the sloping topography or working with the constraints of the site.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale.

The proposal is excessive in bulk and scale which is reflective of the building height non-compliance. The walkway and lift will extend above the tree canopy and detract from the natural landscape setting character.

Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance.

Again, the proposal does not respond to the sloping topography or step down appropriately. The lower level 'storage' space below the carport does not minimise site disturbance either. This will be discussed further below.

4.0 EXCAVATION

The application is not accompanied by a geotechnical report which is a requirement for lodgement as the site is mapped as being in a geotechnical hazard area. We note that significant excavation works have been undertaken on the site, without approval, with regard to the concrete slab shown on the survey. It is understood that a building certificate was issued for the concrete slab and retaining wall in December 2020 (BC2020/0167).

It is important that a geotechnical engineer assess the site conditions and provide recommendations for construction, if approved. It is unclear from the plans provided how much excavation is required. No section has been provided for the lift showing any excavation required to build it. Again, reflective of the obvious distraction of this component of the application.

5.0 CARPORT

The main component of this application regards the proposed 'carport'. It is misleading to refer to the proposal as a 'carport' considering the proposed lower level is effectively a separate garage. The architectural plans demonstrate that 2 cars can be accommodated easily within the lower level with cellar, storage space and workshop spaces.

It is also unclear as to how the carport area above is to be accessed. The proposal has the carport level at RL32.130. The plans suggest that you enter the carport via the eastern elevation but that would require a connection to the existing driveway that does not exist and not proposed. The survey provided shows that this arrangement is not feasible due to a tree in that location.

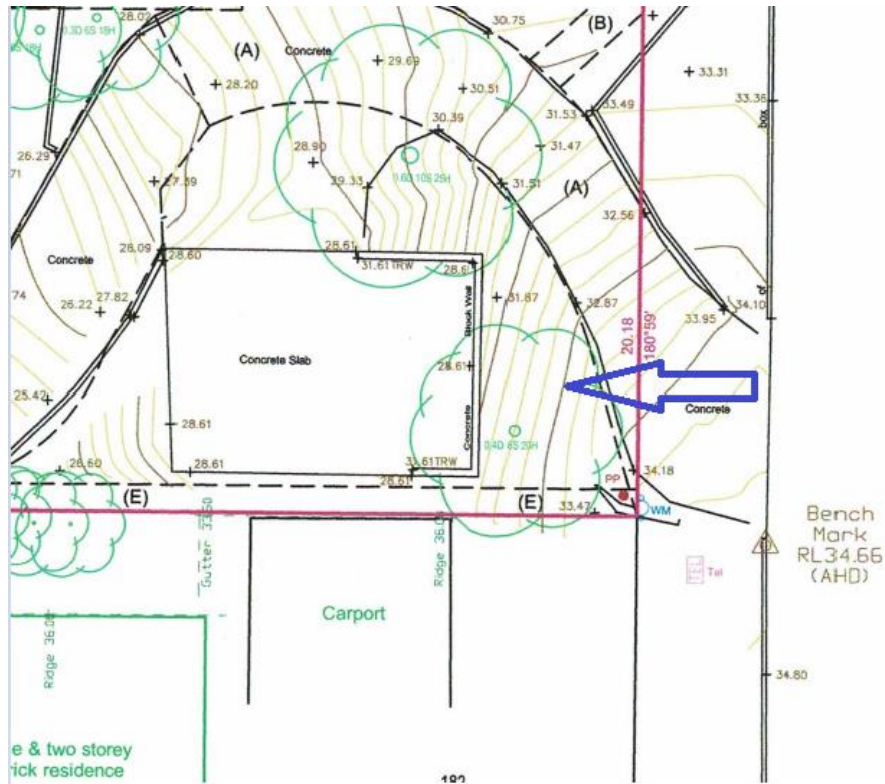


Image 1: Survey showing tree located where the entry to the carport is located.

In reality, that tree has already been removed when the unauthorised works were undertaken to the concrete slab. The tree was removed without approval, also. The images below show that no tree is located in front of the carport.



Image 2: View from Street down to existing carport. No tree exists where it is shown on the survey.



Image 3: Google Street view from March 2020 showing no tree in front of the concrete slab.

It is obvious that the survey provided does not reflect the current site conditions and a current survey is required. This is discussed further below in section 6.0.

More detail and clarity is required showing engineering details and swept path analysis showing that cars can enter and exit in a safe manner. This is important along Prince Alfred Parade which is winding road with blind corners and limited on-street parking which results in many cars being parked illegally.

The lower level 'storage' area is excessive and almost twice the size of a typical 2 car garage with ceiling height of approximately 3.2m. This is considered more than adequate for a residential dwelling to provide 2 car spaces plus plenty of additional storage/work shop area. The need for an additional carport with an area of 108.69m² and 9m width is excessive and unwarranted. It results in a 2 storey detached structure of considerable bulk and scale which will create unreasonable visual impacts to neighbouring dwellings. It is considered that this structure is inconsistent with the E4 zone in that the landscape characteristics are to be the dominant characteristic in the area.

6.0 SURVEY

The survey provided is not an accurate representation of the boundaries and does not include all existing structures on the site. The survey has been dated 15th of October 2017 and revised on 3 June 2021. It is unclear as to whether the survey is a boundary identification survey mapping the true boundaries and not taken from dimensions on title. It claims under general & site specific notes that *"boundaries have been identified by field survey"* and the next paragraph *"No accurate investigation into property boundaries has been made"*. It is unclear whether this is a boundary identification survey completed within the past 2 years, as per lodgement requirements.

Furthermore, the survey does not show an existing inclinor along the northern boundary which has a new carriage which makes the inclusion of an elevated walkway and lift more confusing.

In addition to the survey including trees that do not exist anymore, the survey fails to identify significant mature trees located in close proximity to the site. There are several mature endangered Pittwater Spotted Gum trees located at street level adjacent to the driveway that are not shown on the survey.

The survey is outdated and lacks detail. A new boundary identification survey and arborist report are required.

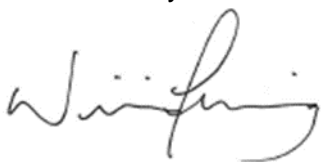
7.0 CONCLUSION

It is my clients' submission that the proposed works at 14 Prince Alfred Parade are unreasonable due to the significant non-compliances with building height which directly result in significant amenity impacts with regards to privacy, view loss and visual impacts. The proposed 'carport' is excessive in scale and lacks detail on the plans to adequately assess the proposal. Furthermore, relevant documentation with regard to geotechnical report and arborist report has not been provided. Engineering details as to how cars can access the site and the proposed carport have not been provided.

It is submitted that the applicants should withdraw the application due to the substandard level of documentation provided and due to the unreasonableness of what is being proposed.

Please don't hesitate to contact me should you have any questions.

Yours sincerely



William Fleming
BOSTON BLYTH FLEMING

BS, MPLAN