

8 August 2025

Northern Beaches Council

Attn: Anaiis Sarkissian

**RE: RESPONSE TO THE REQUEST FOR INFORMATION
31 COOK TERRACE, MONA VALE**

In addition to amended plans, we provide the following response to the issues raised within the request for information.

1. Extent of Change

The *Coorey vs Municipality of Hunters Hill [2013] NSW LEC 1187* planning principle outlines both qualitative and quantitative questions to determine whether a development is appropriately defined as alterations and additions or a new build.

Qualitative Considerations:

- How is the appearance of the existing building to be changed when viewed from public places?

Response: The dwelling's appearance in the street will be improved via an updated external appearance. The existing brick façade is dated, lacking articulation and will be improved with a more contemporary treatment. The appearance, in regard to its visual bulk, will remain largely the same despite the new upper level. The amendments ensure that the upper level will be recessed further back and will not be visually prominent when viewed from the streetscape.

- To what extent, if any, will existing landscaping be removed and how will that affect the setting of the building when viewed from public places?

Response: The proposed footprint of the dwelling will remain the same as existing. The impacts to landscaping are a result of the driveway being widened to accommodate a 2 car garage and a swimming pool.

- To what extent, if any, will the proposal impact on a heritage item, the curtilage of a heritage item or a heritage conservation area?

Response: N/A

- What additional structures, if any, in the curtilage of the existing building will be demolished or altered if the proposal is approved?

Response: Other than the alterations and additions to the existing dwelling no other additional structures will be demolished within the curtilage of the existing building.

- What is the extent, if any, of any proposed change to the use of the building?

Response: The dwelling house use is maintained.

- To what extent, if any, will the proposed development result in any change to the streetscape in which the building is located?

Response: The amended design better responds to the streetscape character by ensuring that the upper level is recessive so that the 2 storey character of the street is preserved. The amended design better reflects the recent approval next door at No. 29 where the upper level was recessive when viewed from the street. A 3D streetscape view is provided to demonstrate this outcome and the similarity of the dwellings and their presentation from the street.

- To what extent, if any, are the existing access arrangements for the building proposed to be altered?

Response: Existing vehicle entry is maintained with the garage widened to accommodate 2 cars. Pedestrian access to the dwelling will continue to be located on the east side of the dwelling.

- To what extent, if any, will the outlook from within the existing building be altered as a consequence of the proposed development?

Response: The existing outlook from the lower and ground floor will be the same. The first floor addition will provide new outlook opportunities.

- Is the proposed demolition so extensive to cause that which remains to lose the characteristics of the form of the existing structure?

Response: The demolition does not result in the loss of character of the existing structure. The majority of external brick walls at the LGF level and a significant proportion of the external walls at ground level will remain in position, thereby maintaining built form. As a result, the front, side and rear setback of the lower and ground floor levels are maintained, with the exception of a new entry staircase along the east elevation. The materiality changes represent an improvement in the design and will maintain a pitched roof form similar to the existing. The roof on the front part of the ground level maintains its characteristic as a flat roof, similar to current building form, but allowing for rectification of non-compliant ceiling heights.

A letter of structural significance and retention has been provided by Taylor Consulting Engineers to demonstrate the structural significance of the remaining building elements. This is complemented by a construction sequencing statement from Woodco Constructions.

Quantitative Considerations

- To what extent is the site coverage proposed to be changed?

Response: The dwellings footprint will be retained as per existing. The change in site coverage would relate to alterations to the driveway to accommodate a double car garage and swimming pool in the rear.

- To what extent are any existing non-compliances with numerical controls either increased or diminished by the proposal?

Response: Existing non-compliances relate to a negligible 6.48m front setback. Amended plans revise a 1.2m front addition of a balcony and planter to now have a 600mm planter. It is a minor addition to the front setback to allow for better articulation. A technical non-compliance with building height is due to the previously excavated garage. The proposal complies when taken from surveyed natural levels. The side setbacks both existing and proposed are compliant.

- To what extent is the building envelope proposed to be changed?

Response: The building envelope will change by virtue of a proposed first floor addition. The lower and ground floor envelopes however will be largely retained. The ground floor walls will retain key structural columns to support the new wall elements of first floor addition. External walls on the ground floor are largely only being amended to delete and/or reposition windows. In terms of the existing lower and ground floor envelope the envelope is largely retained through the preservation of significant structural brick walls

- To what extent are boundary setbacks proposed to be changed?

Response: Established front, side and rear setbacks to the lower and ground floors are retained with a minor addition to the east elevation for the entry stairs. The entry stairs will replace the existing albeit coming closer to the side boundary, noting that it is still compliant with the side setback controls. The upper level setbacks are greater than the existing at the lower levels.

- To what extent will the present numerical degree of landscaping on the site be changed?

Response: The existing level represents 67% of the site. The amended scheme will see it reduced to 53%. The reduction is not related to the footprint of the dwelling being increased, but rather a result of an introduced swimming pool and driveway addition

- To what extent will the existing floor space ratio be altered?

Response: No applicable FSR standard

- To what extent will there be changes in the roof form?

Response: The pitched roof will be demolished to accommodate the first floor addition. The pitched roof form has been incorporated into the new design. While also new, the roof on the ground floor over the living room will maintain its characteristic of a flat roof.

- To what extent will there be alterations to car parking/garaging on the site and/or within the building?

Response: The existing single car garage will be altered to achieve a double garage for 2 cars. This will achieve compliance with Council's off-street parking rate for dwellings.

- To what extent is the existing landform proposed to be changed by cut and/or fill to give effect to the proposed development?

Response: Minor additional excavation at the lower level is proposed, however it is all within the existing envelope of the dwelling and does not impact on the landform. The existing driveway will also require some minor excavation to bring it's width up to the required standard.

- What relationship does the proportion of the retained building bear to the proposed new development?

Response: The existing siting and arrangement of the lower and ground floor levels will be retained with only a minor adjustment to the entrance stair position and size. The layout and use of the lower and ground floor are much the same. The proposed works seek to provide a superior and more useable floor plan with increased amenity for the occupants. The first floor will compliment the family home with additional bedrooms. The overall outcome of the dwelling will contribute positively to the streetscape and local area generally.

2. View Loss Analysis

View loss analysis has been undertaken from No. 29 Cook Terrace with view loss images provided within the amended set. With regard to the *tenacity* planning principle we provide the following:

Step One – Assessment of the views to be affected.

Views from the ground floor are considered to be heavily filtered views with a minor view of the water. These are viewed to the side of the dwelling.

The views from the first floor master bedroom window are a standing view that takes in the headland and water interface, and horizon water views. View from the first floor balcony are much the same.

Step Two – Consideration from what part of the property the views are obtained.

Views from the ground floor relate to the living room

Views from the first floor relate to a master bedroom and associated balcony. The master bedroom view can only be accessed when standing and the viewer would need to be reasonably close to the window as it has a 1.5m sill height from floor level.

All views are accessed across the side boundary which are considered harder to retain.

Step Three – Assessment of the extent of the impact.

Drawings A-802, A-803 and A-804 provide overlays of the amended scheme onto the photos provided from No. 29 Cook Terrace.

The extent of the ground floor impact is negligible as the ground floor front setback is unchanged from the existing. The inclusion of a 600mm planter to the front is overlayed and demonstrates that it does not result in any view impacts.

The view from the master bedroom window will see a reduction in foreground water views however will retain the headland view, its land and water interface and also Norfolk Island Pines near the foreshore of Mona Vale Beach. There is a minor reduction in the horizon water view.

The view from the first floor balcony will retain the view of the headland, its land and water interface also as well as views of the Norfolk Island Pines. Greater water views will be retained above that of the master bedroom window.

Step Four – Assessment of the reasonableness of the proposal that is causing the impact.

The proposal is reasonable insofar that it is the ground floor level of the proposed that is resulting in minor additional view impacts. The first floor addition in itself does not result in any significant view impacts. As such, the impacting elements are well below the height limit and building envelope controls.

The retention of the headland and water interface views represents a reasonable view sharing outcome and reflects a more skilful design.

3. Adjoining Development

The original and amended plans overlayed the survey information for the adjoining dwellings including window details.

4. View Impact

Addressed above

5. Building Height, Bulk & Scale

The upper level has been amended as to reduce its visual prominence when viewed from the street. 3D views from the street have been provided with drawing A-801 in the amended set. The upper level will not be readily discernible from the street and achieves a 2 storey presentation very similar to No.29.

The overall height has been lowered also using a reduction in ceiling heights. It will still result in a height variation due to the existing excavated garage level however this will sit below the 8.5m when interpolating an 8.5m plane from natural surveyed levels.

6. Building Envelope

The amendments to the upper level have reduced the non-compliance to the building envelope. None of the amenity impacts are a result of the minor non-compliance with regard to views, privacy or overshadowing.

7. Proposed Planter & Balcony

The balcony and planter to the front of the site have been revised to just include a 600mm planter. While it represents a variation to the front setback, the view impact diagrams show that it will not impact on views enjoyed by No. 29. It will act as an eave over the garage below and provide some weather protection. It will also contribute to the presentation of the dwelling within the streetscape. In light of the preserved view corridors and the inclusion of a 1,006 mm balcony at No. 29, the proposal is considered to deliver a strong urban design outcome. The approach achieves effective articulation of the building façade, incorporating greenery to provide visual interest while also softening the overall built form from street.

8. Massing

The front ground floor wall will have a setback of 6.48m which is virtually compliant with the 6.5m control. Replacing the wall at the same setback is considered reasonable and we have established through the view assessment that pushing it back further would not result in any improved view outcomes for No. 29 due to vegetation in the foreground at 33 and 35 Cook Terrace. The upper level has been revised to be recessive in the streetscape and, as such, the dwelling will maintain a 2 storey presentation which is consistent with the desired future character of the locality. Secondly the proposed master bedroom front wall now aligns with the setback of the master bedroom front wall at No.29,

9. Landscape area

It is acknowledged that the development will see a reduction in landscape area. The amendments have endeavoured to increase the amount of soft landscaping to 53.4% (including 6% impervious) across the site however a variation to the 60% is still sought. The driveway increase seeks to achieve a compliant parking outcome and the swimming

pool will provide a high level of recreational space for the occupants. These two areas are contributing to the reduction in soft landscaping.

The driveway additions are there to facilitate a 2 car garage. If that element was not required, that would bring the development close to compliance. The driveway addition also achieves a compliant parking outcome. The traffic assessment accompanying the request for information also outlines that the proposed driveway offers significant enhancement and safety over the current driveway situation for both vehicles and pedestrians. Additionally, is reasonable to provide a swimming pool in a rear yard to achieve a high standard of private open space amenity. As such, these legitimate alterations and additions are reasonable in this instance despite the non-compliance.

We note that a landscape plan is provided which represents an enhancement of the site with a large increase in native species. We do note that there is a Banksia Integrifolia proposed in the front yard which will likely obstruct some ground floor views from no.29. This was proposed in the original landscape plan to deliver on Council's requirement for two canopy trees within the front yard. As no. 29 enjoys views across the front of no.31, this makes planting any significant tree a view risk in the future. The tree can be relocated closer to the proposed pedestrian stairs to provide a better corridor, or it can be removed from the plan if Council deems that necessary.

10. Driveway

Traffic Engineering and driveway design certification has been provided by Greys Consulting.

Boston Blyth Fleming Pty Limited

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Director