



Attention: Stephanie Gelder
Northern Beaches Council
PO Box 82 Manly
NSW 1655
Australia

10/10/24

RE: Request for Further Information – REV2024/0020 - 955 Barrenjoey Road, Palm Beach

Dear Stephanie,

This Design Statement has been prepared in response to Council's letter requesting additional information dated 14th August 2024.

This statement is to be read in conjunction with the supporting documents as noted below:

- Construction Methodology Statement - Prepared by Cadence and Co
- Response Letter - Prepared by Shaw and Reynolds
- Amended Boundary Survey - Rev 1 - Prepared by Total Surveying Solutions
- Amended Architectural Plans - Rev E - Prepared by Cadence and Co
- Additional diagrams - DA16.C and DA22 - Prepared by Cadence and Co

In response to Council's comments, please note the following:

1. Alterations and Additions

Council Comment: The proposed application is for alterations and additions to a dwelling house. It is noted that only portions of Level 1 and Level 2 are retained. It is unclear how these elements will be structurally retained during the construction, and further information is required to detail the construction methodology to retain these portions of the dwelling house.

It is considered that the proposal is properly characterised as a new dwelling in accordance with the Planning Principle established in Coorey v Municipality of Hunters Hill [2013] NSWLEC 1187. Further information is requested to articulate how the development is considered to be alterations and additions as Council's view is that the proposed development constitutes a new dwelling house that should demonstrate greater compliance with the relevant controls.

Response: Please refer to response letter prepared by Shaw and Reynolds, Construction Methodology Statement prepared by Cadence and Co and Additional Diagram DA22 outline extent of existing house to be retained.

2. Site Survey

Council Comment: Concerns have been raised that the site survey, and site boundaries are conflicted with an independent survey providing by the adjoining site to the south. Clarification is sought in relation the accuracy of the site survey to



ascertain if the site survey submitted is correct. In the event that the Site Survey is inaccurate, an amended site survey is required, as well as amended Plans to accurately reflect the site survey.

Response: Please refer to amended survey prepared by Total Surveying Solutions and amended plans prepared by Cadence and Co.

3. Clause 4.3 Height of Buildings of Pittwater Local Environmental Plan 2014

***Council Comment:** Clarification is sought in relation to the provision of Clause 4.3(2D). It is noted that a Clause 4.6 has been submitted with the application. Further information is requested to detail the RL's on the section plan that should be taken from the site survey plan to accurately detail if the slope is greater than 16.7 degrees (30%).*

Response: Please refer to DA13, showing site survey levels and slope calculation

4. Clause C1.3 View Sharing of Pittwater 21 Development Control Plan

***Council Comment:** The Photo Montage diagrams have been reviewed. It is noted that the view impacts to No.959 Barrenjoey Road are resultant of the building envelope non-compliances along the northern elevation, specifically the encroachments on Level 2, and Level 3.*

Greater compliance with the building envelope control along the northern elevation, will assist in reducing the view impacts that are resultant from the non-compliant building envelope.

Response: Please refer to amended architectural drawings and photomontages outlining a 1m reduction to proposed balcony and part of L3 wall. Whilst the non-compliance with the building envelope along the northern side of the dwelling is acknowledged, the impact upon views is considered to be reasonable noting that the impact would be the same even with a compliant envelope.

5. Clause C1.4 Solar Access of Pittwater 21 Development Control Plan

***Council Comment:** Insufficient information has been submitted to demonstrate that the building envelope breaching elements will not contribute to further overshadowing. Based on the information submitted, it appears the proposal will result in further overshadowing of the northern elevation of No.953 Barrenjoey Road. No information has been provided as to the use of the rooms/windows on the northern elevation of No.953 Barrenjoey Road and impacts in terms of further overshadowing arising from the non-compliant building envelope.*

Hourly shadow diagrams, and hourly elevational shadow diagrams should be submitted to clearly demonstrated the solar access impacts including the details of the rooms/windows along the northern elevation of No.953 Barrenjoey Road.



Response: Please refer to new perspective shadow diagrams DA16.C, showing hourly solar access to no 953 Barrenjoey Road.

6. Clause C1.5 Visual Privacy of Pittwater 21 Development Control Plan

Council Comment: Concern is raised in relation to the proposed Terrace on Proposed Plan - Level 3 and visual privacy impacts to the adjoining sites. The size and scale of the Terrace coupled with the minimal setbacks presents unacceptable privacy impacts to the adjoining sites.

It is considered that the Terrace is inconsistent with the requirements detailed above, and further amendments are required to provide greater visual privacy between the proposed Terrace and adjoining sites.

Response: Please refer to the amended architectural drawings, which include a 1-metre reduction in the length of the balcony and note that the balustrade facing north is designed with frosted glazing. It should also be noted that the living balcony level of the neighbouring dwelling at 959 Barrenjoey Road is lower than the proposed L3 balcony for the subject site. Therefore, the increased setback, combined with the proposed frosted glazing for the balustrade and the existing privacy screens on the southern side of the neighbouring dwelling, will sufficiently mitigate any potential overlooking

7. Clause D12.8 Building envelope of Pittwater 21 Development Control Plan

Council Comment: The proposal presents significant variations to the building envelope control along the northern and southern elevations. Consideration is required to reduce the building envelope variations through increased articulation. It is considered the proposed development is not appropriately stepped with the topography of the site.

Response: Please refer to amended architectural drawings and photomontages outlining a 1m reduction to proposed balcony and part of L3 wall. Considering the site's slope, the scale of other developments in the area and the existing building's location, we believe that the proposed envelope breach is within acceptable parameters.

8. Development Engineering Comments

Council Comment: Council's Development Engineer has provide the following comments:

The new proposal includes a new stair access from the existing opening in the wall. There is a note on the plan proposing to widen the opening which is not supported for safety reasons.

As such the "opening to existing parking to be widened" shall be deleted from the Existing / Demolition Plan - Level 2 (DA03) and the changes to stair access from the



elevated parking area shall be amended to retain the existing width. Furthermore, the stairs from the existing parking area should be coloured to detail proposed works

Response: Please refer to amended architectural drawings including the requested changes.

Kind regards,

Maira Zugman
Senior Associate
CADENCE & CO