

14th June 2023

The General Manager
Northern Beaches Council
Po Box 882
MONA VALE NSW 1660

Attention: Megan Surtees – Planner

Dear Ms Surtees,

Development Application DA2022/1675
Addendum Statement of Environmental Effects
Alterations and additions to a dwelling house including a swimming pool
57 Cutler Road, Clontarf

Reference is made to a number of issues raised by Council's Development Determination Panel (DDP) in its consideration of the subject development application during today's panel meeting. In this regard, this submission provides additional commentary in relation to the following matters:

- That the application is appropriately categorised and assessed as legitimate alterations and additions to an existing dwelling house having regard to a qualitative and quantitative assessment against the planning principle established by the Land and Environment Court in the matter of *Coorey v Municipality of Hunters Hill [2013] NSWLEC 1187*.
- The provision of appropriate privacy attenuation measures to the proposed east facing first floor bedroom, robe, ensuite and home office windows.
- Confirmation that the internal stairs were appropriately included in the calculation of GFA/FSR.

We respond to the issues as follows.

The appropriate categorisation of the application

We are of the opinion that the application is appropriately categorised and assessed as alterations and additions to the existing dwelling house having regard to the planning principle established by the Land and Environment Court in the matter of *Coorey v Municipality of Hunters Hill [2013] NSWLEC 1187*. In forming this opinion we rely on the architectural plans submitted in support of the application and the additional clarification in relation to the retained building fabric as detailed on the marked-up plans at Attachment 1. We note that the majority of the existing lower ground and ground floor structural floor elements are retained together with a majority of the eastern and western external walls and internal structural wall elements.

Having regard to the planning principle we provide the following commentary:

Qualitative issues

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

The application proposes the removal of the existing low pitched roof form and the provision of an additional level of residential accommodation above the existing ground floor level of the building. The existing lower ground floor level garage accommodation is maintained together with the established front façade alignments at both lower ground and ground floor levels. The proposed upper-level floor plate will be the most significant change when viewed from Cutler Road.

- *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?*

The existing *Angophora costata* located in the north-eastern corner of the property is retained as a significant landscape feature of the property as viewed from Cutler Road. The landscape setting of the building as viewed from Cutler Road is maintained.

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

No heritage impacts.

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

The proposed works are generally confined to the footprint of the existing dwelling with the exception of the swimming pool and adjacent terrace at the rear of the property.

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

No change to long-established dwelling house use.

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

The most significant streetscape change will be the provision of upper-level accommodation as viewed from Cutler Road. The upper level will not be perceived as inappropriate or jarring having regard to the built form characteristics established by adjoining development and development generally within the site's visual catchment.

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

The long established vehicular and pedestrian access arrangements are maintained.

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

The outlook from within the existing building will be enhanced particularly from the proposed upper level of the development.

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

No. The general lower ground and ground floor building forms remain.

Quantitative issues

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

The site coverage is slightly increased as a consequence of the ancillary swimming pool and terrace elements at the rear of the property. The footprint/ site coverage established by the principal dwelling house building form on the site is maintained.

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

Non-compliances are primarily associated with the proposed upper-level additions and ancillary swimming pool and rear terrace built form elements.

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

The building envelope is altered as a consequence of the proposed upper-level additions The lower ground and ground floor envelope is maintained.

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

No change to the established ground and lower ground floor setbacks although the swimming pool and terrace at the rear of the property do extend close to the rear boundary. Side boundary setbacks have been increased for the proposed upper-level additions. Established front setbacks are generally maintained.

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

The proposal provides for a minor decrease in landscaped area as defined.

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

The proposal involves an increase in floor space primarily associated with the provision of an additional level of residential accommodation. This is consistent with any application involving legitimate alterations and additions to an existing dwelling.

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

The existing pitched roof form is removed with a flat roof provided to the proposed upper-level additions. This is consistent with that reasonably anticipated for an application involving upper-level additions to an existing dwelling.

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

No change.

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

Minimal change to landform other than excavation required to accommodate the proposed ancillary swimming pool.

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

The retained building elements structurally support the proposed upper-level additions and establish the envelope in which a majority of the lower ground floor and ground floor alterations and additions are proposed.

Under such circumstances, the consent authority can be satisfied that the application is appropriately categorised and assessed as alterations and additions to the existing dwelling house.

The provision of appropriate privacy attenuation measures to the proposed east facing first floor bedroom, robe, ensuite and home office windows

Reference is made to the accompanying plans A.04(C) and A.05(C) prepared by Gartner Trovato Architects. All east facing first floor windows have been amended to have a minimum sill height of 1.6 metres to restrict direct overlooking opportunities into the adjoining property. These plans could be referenced within any development consent granted or alternatively the privacy outcome proposed could be achieved through an appropriately worded condition of consent.

Confirmation that the internal stairs were appropriately included in the calculation of GFA/FSR

Section A on Plan A07(B) demonstrates that there are only 2 single flights of stairs within the proposed development an extract of which is over page. We confirm that the stair leading from the lower ground floor plan to the ground floor plan has been included in the GFA calculation with the stair between the ground floor and first floor additions excluded. This is consistent with the most recent case law where every second flight of stairs is counted as GFA.

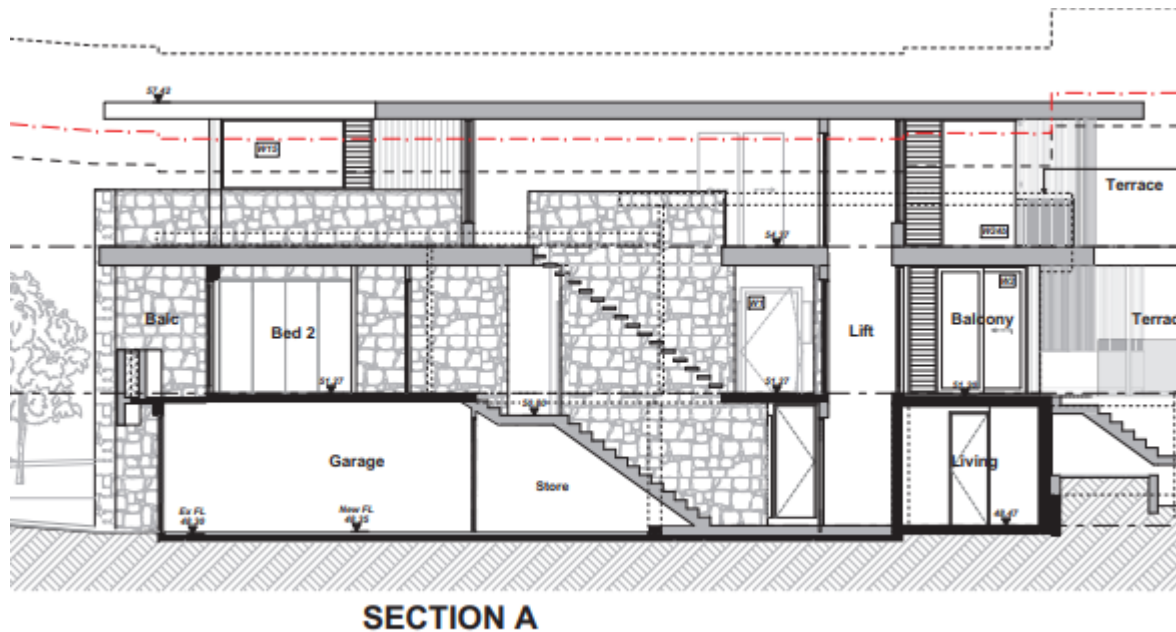


Figure 1 - Plan extract showing 2 single flights of stairs within the proposed building

We trust that this supplementary submission comprehensively addresses the issues raised by the DDP and will enable the favourable determination of the application. Do not hesitate to contact me should you have any questions in relation to this submission.

Boston Blyth Fleming Pty Limited

Greg Boston
B Urb & Reg Plan (UNE) MPIA
Director

59
Cutler Rd
Lot 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829,



