



northern
beaches
council

MEMORANDUM

DATE: 1 March 2024

TO: Northern Beaches Development Determination Panel (DDP)

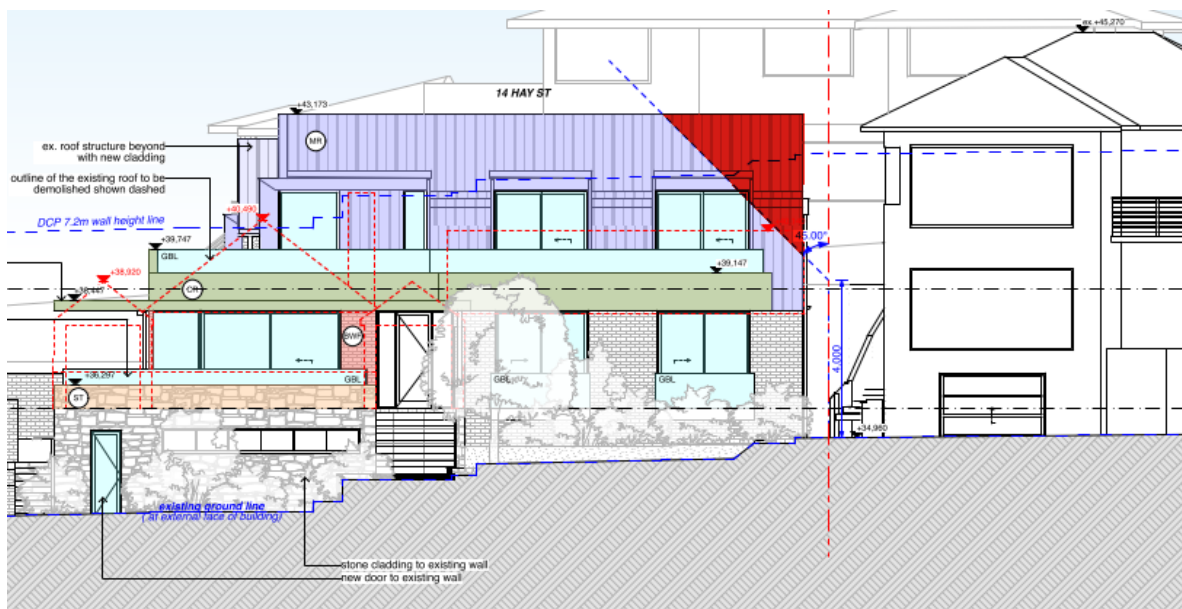
CC: Peter Robinson, Executive Manager Development Assessment

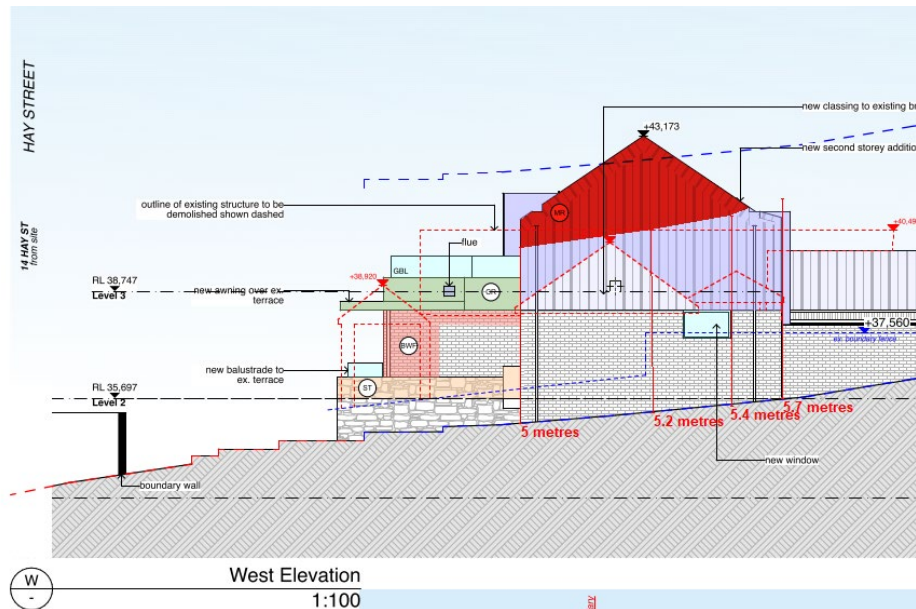
FROM: Reeve Cocks

SUBJECT: Item No. 3.1 – DA2023/1720 14 Hay Street address

TRIM REFERENCE: DA2023/1720

The purpose of this memo is to provide the Panel with greater justification for the western side boundary envelope non-compliance proposed.





A critical evaluation of the objectives of the control has been undertaken with specific consideration for public and private amenity, and view sharing.

- Objective 1 - To ensure that development does not become visually dominant by virtue of its height and bulk.
- Objective 2 - To ensure adequate light, solar access and privacy by providing spatial separation between buildings.
- Objective 3 - To ensure that development responds to the topography of the site.

Objective 1

Visual dominance

The proposed first storey addition will at its maximum have a total height of 7.88m when measured from the western elevation. When measured from the front western apex of the proposed addition the structure will have a maximum height of 5.79m and 5.18m when measured from the rear western apex (see figure 1). The immediate locality and streetscape slope towards the northeast intersection resulting in the subject site being the lowest corner of Hay Street (see figure 10). It is considered that the proposed addition will not result in a visually dominant built form and the impact of the development has been significantly limited on adjoining properties and the public realm.

Height and bulk

The proposed first storey addition will at its maximum have a total height of 7.88m (when measured from the western elevation). When measured from the front western apex of the proposed addition the structure will have a maximum height of 5.79m and 5.18m when measured from the rear western apex (see figure 1). The front apex represents an increase in 288mm in height from what is currently existing. The applicant has proposed to setback the main dwelling house structure 2.8m, and 1.3m lower than what is currently existing (see figure 2). This perceived increased front setback reduces the visual dominance of the dwelling house as viewed from the street and increased the existing views enjoyed by the adjoining property immediately adjacent (see figures 3 and 4). As can be seen in figure 5 the first storey lounge room windows amenity will be increased and although the rear first storey views will be impacted, this window services the internal staircase of No. 16 Hay Street. It is noteworthy that the addition is setback 8.6m at its northeastern corner and 15.25m at its northwestern corner.

Objective 2

Light and solar access

The subject site is located on the southeastern corner of Hay Street and Cumberland Avenue. As a result of this the proposed addition mostly results in the overshadowing of its own site or Cumberland Road directly southeast of the property lot. As No 16 Hay Street is oriented towards the northwest of the site it will have minimal to no loss of light and solar access because of the proposed addition.

Privacy and spatial separation between buildings

The proposed addition will have a western side boundary setback varying between 900mm and 1.7m. The Warringah DCP control requires a minimum setback of 900mm which the proposal is compliant with. As can be seen in figure 7 the proposal will result in a varying building separation of 2.7m and 3.4m. At worst case, a minimum building separation of 1.8m between dwelling houses is compliant with the control. As the proposal is more than the minimum and is largely bordering non-habitable spaces (staircase and bathroom) acoustic and visual privacy are reasonably achieved.

Objective 3

Responding to the topography of the site

The proposed addition as referenced above is setback further from the front boundary (Hay Street). The proposed balcony presents as a stepped building structure which more adequately reflects the northeastern sloping topography of the site. The proposed addition is largely within the existing building footprint and does not result in unnecessary excavation. It is situated on the site so as to best avoid an impact on adjoining neighbours water views looking west to east and northwest to southeast (see figures 8 and 9).

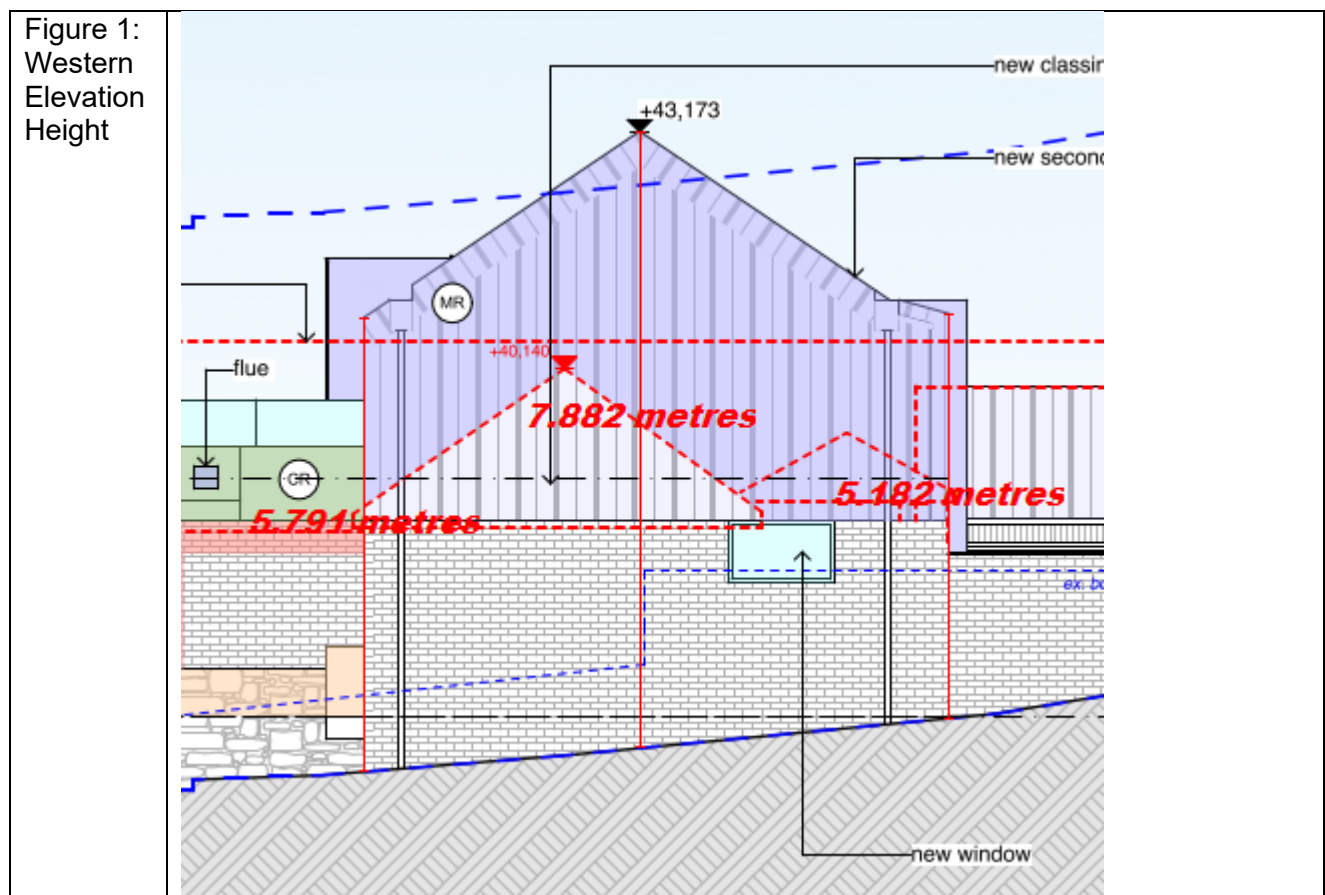


Figure 2: Western Elevation revised addition setback.

The diagram illustrates the western elevation of a building with a proposed addition. The main roofline is at an elevation of +43,173. The proposed addition has a lower roofline at +40,140. The base of the addition is at +38,920. The drawing shows various setbacks and dimensions: a 2.836 metre setback from the main roofline and a 1.338 metre setback from the base level. The addition is labeled with 'MR' (Main Roofline), 'GBL' (Ground Level), 'CR' (Crown), 'BWF' (Base of Wall Footing), and 'ST' (Structure). A blue dashed line indicates a future boundary to be dashed. The drawing also shows a 'future to be dashed' line and a 'structure to be dashed' line. The addition is shown with a brick pattern, while the main building is shown with a stone pattern. The drawing is a technical architectural elevation with various lines and labels indicating the proposed changes and setbacks.

Figure 3:
No. 16
Ground
Floor
Plan

Figure 4:
No.16
First floor
Plan

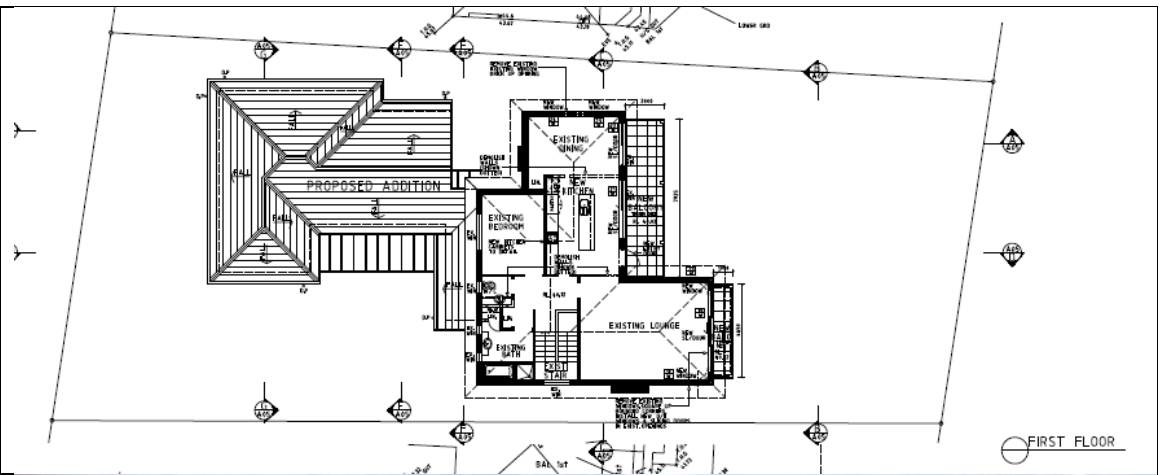


Figure 5:
Site
Inspection
Photo



Figure 7:
Western
Elevation
building
separation
n

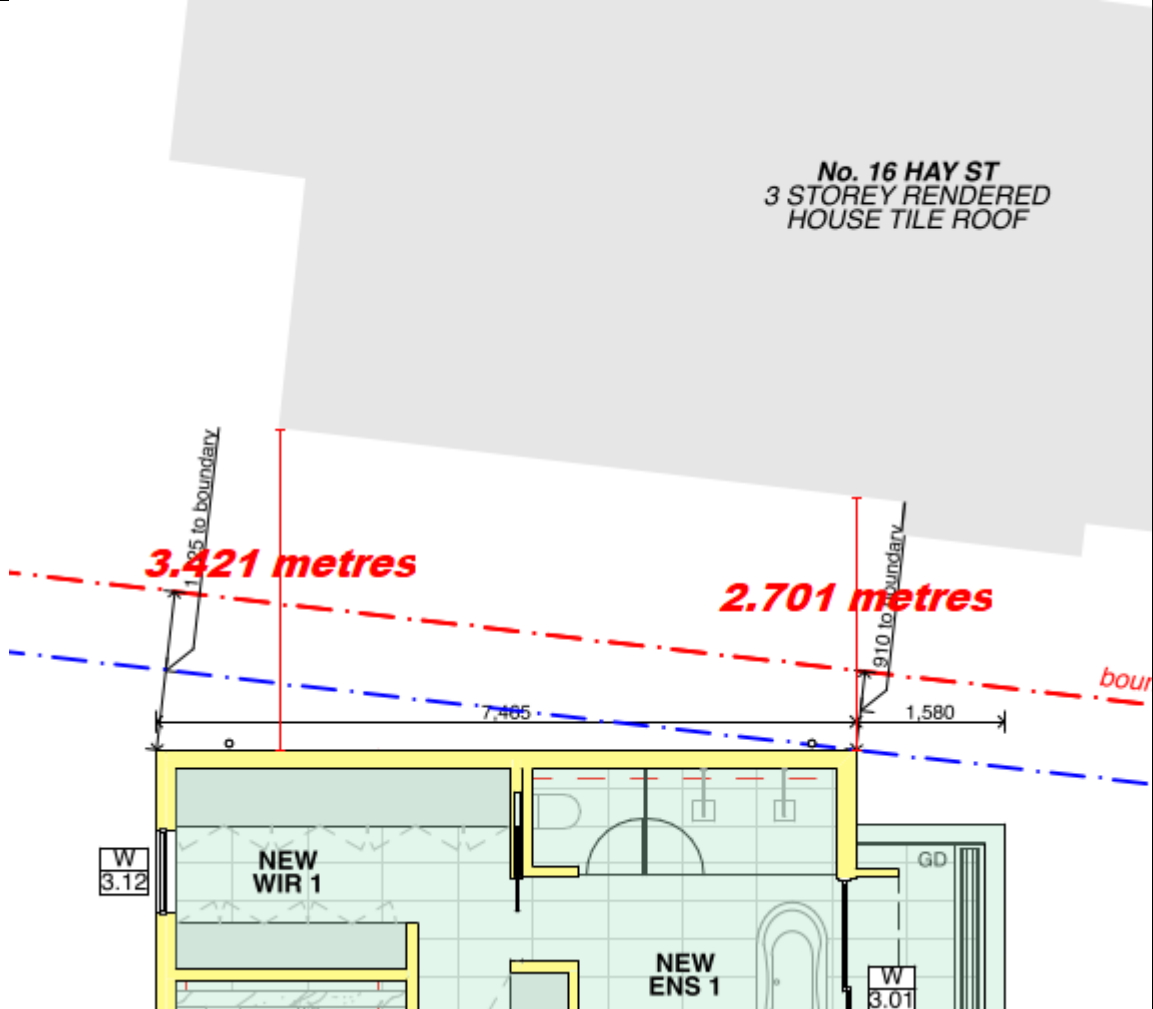


Figure 8:
View
Corridors

Source:
Nearmap





Conclusion – It is considered that while the proposed addition results in a larger than normal numerical non-compliance, it achieves a balance between public and private amenity. It should be noted that no submissions against the application have been received in the 98 (as of 1st of March) days it has been under assessment. A more compliant design would not achieve the objectives of the control in any way the current proposal has not.

Recommendation –

That no changes are required to the recommendation contained in the assessment report.

That the Northern Beaches Development Determination Panel determine the application recommending approval.

