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council

MEMORANDUM

DATE: 20 June 2023

TO: Northern Beaches Local Planning Panel (NBLPP)

CC: Adam Richardson, Acting Executive Manager Development Assessment

FROM: Kye Miles, Planner

SUBJECT: DA2022/1874 - 26 Eltham Street, Beacon Hill - Alterations and additions to a dwelling house.

TRIM Ref: 2023/389462

Dear Panel Members,

Introduction

Council issued its Assessment Report to the Panel for Development Application DA2022/1874 relating to alterations and additions to a dwelling house, which is scheduled for determination at the Panels meeting on 21 June 2023.

This supplementary memo seeks to expand on the commentary provided in that assessment report, amend a typographical error within the report, and address late submissions.

Wall height

The proposed development is measured as having a maximum wall height of 8.0 metres. Reference is made to the proposal's compliance when measured from the extrapolated ground levels. The southern elevation would comply with the maximum numerical requirements based on the surrounding levels. On the balance of the information provided it is taken that the northern office and sitting room walls would comply with the maximum numerical requirements as the extrapolated ground level is through the existing building with no surrounding natural ground levels to compare to. Notwithstanding this, these elements are located within the middle portion of the development and will not give rise to unacceptable amenity impacts. No changes are recommended to the report in this regard.

Side boundary envelope

The panel has requested that the northern side boundary envelope non-compliance is diagrammatically shown on a plan view. It is considered that the below diagram has been produced in accordance with the Panel's request.



Existing front setback

Typographical error within the report

The standard wording provided is incorrect and has been recommended to be amended accordingly below.

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Two late submissions have been received, which raised the following matters:

- View loss.
- Privacy.

View loss

The received submission raises concern that the assessment report 'does not properly assess the potential view loss to No. 28 Eltham Street' and it is argued that the view loss is categorised as severe. The extent of the view loss impact was assessed for the whole of the property, not just for the view that is affected, as per the Tenacity view-sharing principles. For the reasons discussed in detail in the assessment report, it has been found that the extent of view loss from this property is minor to moderate, noting that the views are directly across the side boundaries, views of Narrabeen Lagoon and Bilgola Headland will be retained from certain positions throughout the site, the expansive eastern outlook is not impacted and the concerned property is currently underdeveloped being a single storey dwelling.

Concern also is raised with the categorisation of view loss regarding existing landscape features. The assessment of views considers the existing situation and the potential impacts residing from the proposed development. The existing landscaping along the subject site's rear boundary is not proposed to be altered under this application and therefore potential changes to this portion of the site are not considered within the context of the view-sharing principles.

Privacy

The received submissions raise concerns that the privacy issues have not been considered within the assessment report. These matters have been carefully considered and addressed within Part D8 of the assessment report. In summary, the proposed balcony's size and orientation are commensurate to surrounding balconies, terraces and patios that have all been designed to capture the favourable aspect. In addition, the difference between the finished floor levels of the opposing areas is notable due to the sloping topography, which indicates that views will be naturally obtained over the adjoining dwelling to the north. Notwithstanding, the proposal includes generous setbacks to minimise any unacceptable privacy impacts to the surrounding private open space and windows of other dwellings. In addition, the proposed external stair is not considered to give rise to any adverse privacy impacts due to its transient usage and suitable boundary setbacks.

Recommendation

That the concluding remarks within Part D7 of the report (Page 48) be amended as follows:

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.