



**BEECROFT
CHELTENHAM**
CIVIC TRUST INC
the voice of our community

The General Manager
Hornsby Shire Council

Dear Sir,

DA 1115/2017 Proposed Seniors Living at 14-18 Sutherland Road, Cheltenham

The Beecroft Cheltenham Civic Trust objects to the proposed development for Seniors housing at 14 to 18 Sutherland Road Cheltenham. The main objection is to the proposed variation of a development standard under CI 40 of the Seniors SEPP.

The Trust acknowledges that the applicant has attempted to address the serious shortcomings of the original Development Application DA317/2015 by retaining the heritage significant house at No 16 plus adhering to the existing streetscape with its sandstone features and setbacks. But with the need to retain the house at No 16 and the need to preserve the streetscape, it would appear that these requirements have placed additional pressure on the applicant to increase the density, scale and bulk at the rear of the site.

Variation of a development standard contained in the Seniors SEPP

The Trust has not been able access the variation submission, so the comments below are qualified. Two relevant clauses in the SEPP are quoted below with highlights in bold and underlined added by the Trust.

Cl 31 . Design of in-fill self-care housing.

*In determining a development application made pursuant to this Chapter to carry out development for the purpose of in-fill self-care housing, a consent authority **must** take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration) the provisions of the **Seniors Living Policy: Urban Design Guideline** for Infill Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004.*

*Development Standards to be complied with
Part 4 Development standards to be complied with
Division 1 General*

40 Development standards—minimum sizes and building height

(1) General A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.

- (2) *Site size. The size of the site **must be** at least 1,000 square metres.*
- (3) *Site frontage. The site frontage **must be** at least 20 metres wide measured at the building line.*
- (4) *Height in zones where residential flat buildings are not permitted.*

If the development is proposed in a residential zone where residential flat buildings are not permitted:

*(a) the height of all buildings in the proposed development **must be** 8 metres or less, and
(b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) **must be not more** than 2 storeys in height, and Note. The purpose of this paragraph is to avoid an abrupt change in the scale of development in the streetscape.*

*(c) a building located in the rear 25% area of the site **must not** exceed 1 storey in height
The accessibility requirements outlined in the Seniors SEPP.*

The Department of Planning Guidelines further reinforces the requirement that the development standards must not be exceeded; specifically stating that in zones where residential flat buildings are not permitted, development on the rear 25% of the site **must not exceed** one storey.

The Trust notes the word 'must' is used throughout Part 4 of the SEPP, implying there is to be no variation allowed to the development standards. We believe the intention of the wording in the SEPP is clear; the three key development standards cannot be varied.

In addition, the Trust notes that the former DA317/2015 was able to design a seniors development that did not exceed the SEPP development standards. Without reading the applicant's variation submission, this fact alone indicates to the Trust that a seniors housing development can be achieved on this site without the need to vary the standards and refutes the applicant's claim that strict compliance with the standard is considered unreasonable or unnecessary. So it is highly likely the applicant has not demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard.

To summarise, the proposed development in this location, in a heritage listed residential precinct that has no commercial development, is unacceptable. The added bulk and density proposed at the rear of the site will create a development that will be out of character with the surrounding residential development. As a result, not all the objectives of the SEPP have been satisfied.

Accessibility

The proposed development is very detailed and interpretation of the accessibility plans difficult to follow. It would appear that the development has been designed around three levels that are linked through an internal lift. However there is some confusion when reference is made to crossing Sutherland Rd from Level 1, in front of No 14 Sutherland Rd. This needs to be clarified as it is likely to be a road safety issue.

Statement of Environmental Effects (SEE).

This is not so much an objection but more a comment on the wording used in the SEE. While the Statement has been structured to support the proposal, some of the statements contained in the body of the SEE are generalisations that are open to interpretation and considered by the Trust to be misleading. For example, making general statements that housing in the area is post war and there are derelict gardens in the area, yet ignoring to mention the many well maintained gardens, is

misleading. In some instances it also contradicts other reports such as the Heritage Impact statement (HIS).

In summary, the Trust supports the applicant's retention of house at No 16 Sutherland Rd, plus the preservation of the setbacks facing the street. However we strongly believe the density and bulk towards the rear of the site where the variation to the development standard has been requested is not consistent with the intent of the relevant legislation. We also question the legality of the variation and also the justification for the variation. A lesser development would be more appropriate and the Trust senses the variation request is based on financial grounds and not planning grounds.

This proposal as presented is considered to be unacceptable.

The Trust requests that the Councillors place a red sticker on the file so this application goes before the Council.

Yours faithfully
Ross Walker
President
Beecroft Cheltenham Civic Trust

9 November 2017