



The General Manager
Hornsby Shire Council

Dear Sir

DA/434/2018 - 36 Lyne Road, CHELTENHAM NSW 2119 - RESIDENTIAL - SINGLE NEW DWELLING - NEW SECONDARY DWELLING - GRANNY FLAT

The Trust objects to the proposed development for the following reasons.

Appropriateness of site for proposed development. While the proposed development appears to satisfy the prescriptive elements in the DCP, the SEE does not assess other matters. In fact it is silent on key matters such as heritage, significant tree loss, bushfire requirements, amenity and privacy. The subject lot, while large, is very narrow at one end. But more importantly it is a corner lot with two street frontages. So any design must take the lot's shape and street position into account. The lot also faces, along its longest boundary, Boronia Lane; a very narrow public road with absolutely no setback between road pavement and the subject lot boundary. This combination of physical constraints means that any development on the lot needs careful design to properly address privacy and amenity requirements. This closeness of Boronia lane with its pedestrians and vehicle traffic, creates permanent privacy and amenity issues for the two proposed dwellings. This problem is currently noticeable with the existing dwelling. No doubt a dwelling can be designed on the lot that would address these issues, however the proposed dwelling design together with a separate dwelling, albeit small, seriously compromises the opportunity for this to be achieved. The most useful amount of private open space on the lot is where the second dwelling is proposed.

Amenity. As stated above, the subject lot does not lend itself to good amenity. Privacy is part of this and it is difficult to create acceptable amenity when the subject lot has such minimal depth from the two roads. The Trust believes the two proposed dwellings for the lot are not the ideal design to achieve good amenity for the occupiers, nor for surrounding residents who overlook the constrained lot. In fact, the Trust considers the second dwelling seriously compromises any amenity because it seriously diminishes the amount of usable private open space on the lot where it is at its widest. The front southern section of the lot, where it is as narrow as 12.5 metres, provides very poor amenity due to noise and visibility where it fronts Lyne Road and Boronia lane.

Loss of indigenous vegetation. The bushfire requirements for this proposed development with 2 dwellings sterilises the lot and creates a direct conflict with the streetscape, a main element of the Cheltenham Heritage Precinct. The conflict is aggravated by the proposed removal of a large stand of

very significant indigenous vegetation near the northern boundary. In addition, the removal of the exotic vegetation as well further exacerbates the vegetation loss. Because so much vegetation, both exotic and indigenous, must be removed from the lot for bushfire requirements, then clearly wildlife will also be impacted.

The bushfire requirements creates further conflict with the heritage and wildlife because the total site must be managed as an inner protection zone in perpetuity. So there will be no opportunity for substantial regrowth. With so much of our iconic indigenous vegetation rapidly disappearing through the Cheltenham Heritage Precinct, this proposal is unacceptable. The Trust argues that every single Turpentine, Red Gum and Bloodwood, is worth saving. As a matter of interest the Trust believes 8 Turpentine are proposed to be removed because the 5 Turpentine identified by the Arborist are considered to be growing with twin trunks. The clearing of so much vegetation in perpetuity in a Heritage Precinct is not acceptable.

Heritage. Heritage has not been addressed in the application at all. The bushfire report states that the indigenous Bloodwoods plus other trees and shrubs that form an important vegetation screen along Boronia Lane must be removed from the inner asset protection zone. This tree loss is in direct conflict with the heritage elements of the DCP and is therefore unacceptable.

With the subject lot predominantly facing the Boronia Lane, the presentation of the main dwelling to the street is of paramount importance. The proposed dwelling, with its minimal setbacks to the lane, together with the loss all virtually all indigenous and exotic trees along the edge of the lane, seriously compromises the heritage element. The SEE may state that the dwelling faces Lyne Road to overcome the DCP requirements, but from a visual perspective this is not the case, with the frontage of the main dwelling actually facing Boronia Lane, which is only a few metres away. Also bear in mind that this narrow section of Boronia Lane is in frequent use as a footpath and for vehicles. So from a Heritage perspective this proposal is unacceptable.

Privacy. While privacy can theoretically be argued as being acceptable, but in reality it is extremely difficult to achieve. Neighbouring houses tend to overlook the proposed dwellings and with the removal of substantial vegetation in perpetuity due to the bushfire requirements, privacy in the restricted open areas will always be compromised and limited. The second dwelling makes the privacy issue worse because it is located in the widest section of the narrow lot.

Public interest. When the above matters are considered in combination, it is clear that the proposal that is not in the public interest. An object of the Environmental Planning and Assessment Act is to improve the built environment and consider the natural environment ; this proposed development fails to achieve that object.

In summary, the proposed development is not appropriate on the subject lot. The proposal should be refused.

Yours
Sincerely

Ross Walker
President
Beecroft Cheltenham Civic Trust

25 June 2018

