



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

The General Manager
Hornsby Shire Council

Dear Sir

DA/953/2021 - 26 The Crescent, CHELTENHAM NSW 2119 - SUBDIVISION - ONE LOT INTO TWO

The Beecroft Cheltenham Civic Trust objects to the proposed subdivision for the following reasons.

- The access way to the rear lot 1 with its bend, does not fully comply, resulting in a substandard access way.
- This bend in the access way deletes the required 0.5 metre wide landscaping verge, which is a significant non-compliance as the adjoining property is heritage listed.
- The removal of the western eave from the existing house, as it overhangs the access way, compromises the existing house in terms of aesthetics and shade but also from a heritage impact as seen from the street.
- The private open space for lot 2 (existing house) does not comply with the intent of the DCP, due to its position on the side of the house. Figure 10 in the heritage report shows the space, with no direct access to the existing house and the adjoining house abutting. Positioning an important requirement that open space is, tucked around the corner, makes a mockery of the application of Council's DCP.
- The rear setback of the existing house on lot 2 does not comply, not by a small degree but instead by a significant amount; making the rear area unusable.
- This subdivision will eliminate any quality privacy at the rear for the existing house, in turn creating poor amenity.
- The trees on lot 2 are substantial and while a dwelling on piers is recommended, there will still be an unacceptable impact on any future dwelling from the size of the trees, that will no doubt eventually lead to the removal of the trees at the next DA stage of a dwelling house.
- The precautionary principle must be applied in this case. Based on observing past DA approvals there is no guarantee that trees protected at the subdivision DA stage will remain protected at the next DA stage for a dwelling. Based on previous approvals Council appears to be either unwilling or unable to protect significant vegetation.
- The proposed common boundary between lots 1 and 2 does not comply as it is extremely irregular in shape; at the rear but also in the access way.
- The proposed common boundary with its irregular shape does not comply with the heritage requirements for regular boundaries.
- The existing lot 10 is a lot from one of the earlier original subdivisions, namely DP7132. From a heritage perspective this is very significant because a vast majority of the surrounding lots are also original and have not been subdivided. This proposed subdivision with its irregular

boundaries is completely out of character with the lot pattern of the surrounding heritage precinct.

- The heritage assessment fails to fully assess the impact of the proposed internal boundaries of the proposed subdivision on the overall original and historic subdivision pattern.
- If the subdivision is approved the residents living in the existing house will be forced to use the front of the house for outdoor use as the rear area (too small) and the side area (unattractive and impractical) are both unsuitable and un-usable. This means the front yard has the only usable open space. However it is restricted with a driveway crossing through it. It is also highly likely the residents will install some form of security or privacy fencing in front of the house to make the only open space more usable. This will conflict with the heritage guidelines.
- There is no guarantee that any of recommended restrictive conditions listed in the SEE will be complied with. Even registering a restriction on title is no guarantee. In other words, based on experience, the Trust has no confidence that any strict conditions placed at the subdivision stage, such as elevated driveway and raised foundations, for whatever reason will be complied with at the dwelling approval stage. Therefore the Trust does not support these conditional approvals, such as a dwelling design on piers, at the critical subdivision stage.

In summary, this DA falls well short of the standard of development that is acceptable within the Beecroft Cheltenham Heritage Precinct. This DA for subdivision is clearly not in the public interest.

Yours sincerely,

Ross Walker OAM

Vice President
Beecroft Cheltenham Civic Trust
27 September 2021