

30 December 2022

Northern Beaches Council  
1 Belgrave St  
MANLY NSW 2095

The assessing officer

## **7a Carlton St MANLY NSW 2095**

CI 4.6 Variation request for the Floor Space Ratio development standard in the Manly LEP 2013

The land zoning is R1 General Residential and has the following objectives (Part 2 Land Use Table)

- *To provide for the housing needs of the community*
- *To provide for a variety of housing types and densities*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents*

The proposal retains the existing residential use of the site

It also includes the conversion of the existing duplex into a Class 1a single dwelling- many of the surrounding dwellings are small ins size and on undersized lots and so the proposal adds to the variety of housing types and densities

The objectives over the zoning have been maintained and are satisfied

The LEP CI 4.4 Development Standard is Floor Space Ratio and has the following objectives

- to ensure the bulk and scale of development is consistent with the existing and desired streetscape character
- to control building density and bulk in relation to a site area to ensure that development does not obscure important landscape and townscape features
- to maintain an appropriate visual relationship between new development and the existing character and landscape of the area
- to minimise adverse environmental impacts on the use or enjoyment of adjoining land and the public domain
- to provide for the viability of business zones and encourage the development, expansion and diversity of business activities that will contribute to economic growth, the retention of local services and employment opportunities in local centres

The LEP CI 4.4 Development Standard Floor Space Ratio is 0.6:1 or 60% of the site area

| Site Area | Existing FSR | Development Standard | Proposed FSR | Variation |
|-----------|--------------|----------------------|--------------|-----------|
|           | 0.54:1       | 0.6:1                | .65:1        | 9%        |
| 358.2 sqm | 192.5 sqm    | 214.9 sqm            | 234.4 sqm    | 19.5 sqm  |

The increase in floor area is largely due to

- *conversion of the existing rear garage to a cabana (close to 90% of the non compliance)*
- *enclosure of the front entry stairs to habitable space*
- *bay window style addition to the main bedroom on the front NW corner*

It is noted that several terraces to the west exceed the FSR control

The justification for the variation of strict compliance with the control

The proposal largely retains the existing bulk and scale of the existing building other than slightly widening the existing front façade

The design is an improvement to and consistent with the desired streetscape and locality character

The building bulk and scale has been managed and do not overwhelm landscape or townscape features

The proposal maintains the existing detached building arrangement and the separation between adjoining properties- the existing features have been maintained

Consideration has been given to the design to minimize adverse impacts to the adjoining properties- privacy has been maintained and there are no view losses due to the proposal

There is no material overshadowing due to the proposal

Sufficient environmental grounds to justify the variation

The objectives of the zoning and development standard have been considered and addressed

The rear cabana itself contributes to nearly 90% of the non compliance and this structure is single storey and not readily visible from public areas- there is no perceived building bulk or scale

Near compliance with the FSR could be achieved by the removal of this cabana but there would be few perceived gains

In Part 3.2.5.2 of the DCP Council do already agree to vary the FSR on heritage items where conservation may depend on non compliance

No 7a is not a local heritage item however at the moment the existing building makes a neutral contribution to the conservation area mostly due to the existing narrow bald faced front façade and the north western open concrete stairs

The proposed building design now better contributes to both the streetscape and Conservation Area and the Heritage Impact Statement prepared by Weir & Phillips explains this in more detail

It is acknowledged the proposal exceeds the control however the overall benefits outweigh the level of non compliance

For these reasons we believe strict compliance is unnecessary and there is no impediment for Council to vary the standard

Regards  
Michael Sweeney  
Architect NSW Reg No 5801

A handwritten signature in dark ink, appearing to read 'M Sweeney', followed by a period. The signature is fluid and cursive.