

Statement of Environmental Effects

21 Peacock Street, Seaforth



Urban Perspectives

Declaration

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In respect of:

Alterations and additions to enclose existing car port and create garage and new fence and entry gate, extend roof over existing balcony, demolish existing upper level front wall, construct new glazed wall opening onto balcony, and internal modifications.

Development application

Applicant Name:

Jane Clayton and Sam Ghoreyshi

Applicant Address:

21 Peacock Street, Seaforth NSW
2092

Land on which activity to be
carried out:

21 Peacock Street, Seaforth NSW
19/-/DP7750

Name:

Mary Nagle

Date:

28 May 2025

Table of Contents

Table of Contents

DEFINITIONS AND ACRONYMS	3
1. INTRODUCTION.....	4
1.1 GENERAL	4
1.2 PROPERTY DESCRIPTION	4
1.3 LOCATION AND SURROUNDING ENVIRONMENT	6
1.4 EXISTING PROPERTY	11
1.5 DEVELOPMENT HISTORY.....	11
2. PROPOSED DEVELOPMENT	12
2.1 PROPOSAL	12
3. PLANNING PARAMETERS.....	13
3.1 STRATEGIC PLANNING DOCUMENTS.....	13
3.1.1 GREATER SYDNEY REGION PLAN – A METROPOLIS OF THREE CITIES.....	13
3.1.2 EASTERN CITY DISTRICT PLAN	13
3.2 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 (EP&A ACT)	13
3.3 MANLY LOCAL ENVIRONMENTAL PLAN 2013.....	13
3.3.1 ZONING AND USES	13
3.3.2 LEP CONTROLS	13
3.4 STATE ENVIRONMENTAL PLANNING POLICIES	14
3.4.1 SEPP (BUILDING SUSTAINABILITY INDEX: BASIX) 2004	15
3.5 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021	15
3.6 MANLY DEVELOPMENT CONTROL PLAN 2013	15
4. SUMMARY	25
4.1 GENERAL	25

Definitions and Acronyms

Applicant	Jane Clayton and Sam Ghoreyshi
AS	Australian Standard
Council	Northern Beaches Council
DA	Development Application
DCP	Manly Development Control Plan 2013
EP&A Act	Environmental Planning and Assessment Act 1979
GFA	Gross floor area
LEP	Manly Local Environmental Plan 2013
LGA	Local Government Area
Property	No 21 Peacock Street, Seaforth NSW
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
Site	The land comprised in 19/-/DP7750 known as No 21 Peacock Street, Seaforth NSW

1. Introduction

1.1 General

The Applicant is seeking consent to carry out alterations and additions to the existing dwelling house on property known as No 21 Peacock Street, Seaforth, involving the demolition of the existing upper level front wall, the replacement of existing balcony doors and wall with new glazed wall opening onto balcony, the extension of the roof over the balcony, the enclosing of the existing car spaces beneath the balcony to create a 2 car garage and construction of new front fence and entry gate, along with internal alterations and additions.

The Site is situated in the Northern Beaches Council LGA. This Statement of Environmental Effects reviews the relevant planning controls and considers the environmental impacts of the proposed changes to the locality.

1.2 Property Description

The building is a two-storey dwelling house constructed of brick with metal roof.

The site is zoned R2 Low Density Residential under the Manly LEP 2013 where dwelling houses are permissible within the zone with consent. A zoning plan indicating location is set out in **Figure 1** and aerial plan in **Figure 2**. The local FSR Map is indicated in **Figure 3** which shows allowable densities in area.

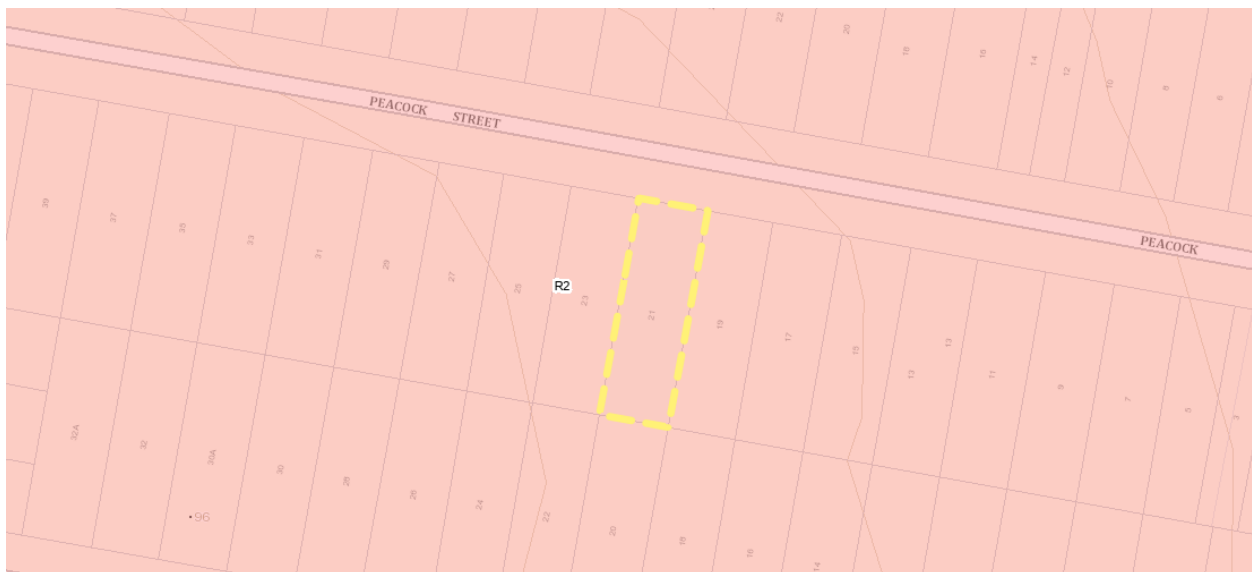


Figure 1 Zoning Plan

Source: ePlanning Spatial Viewer accessed 17/05/2025

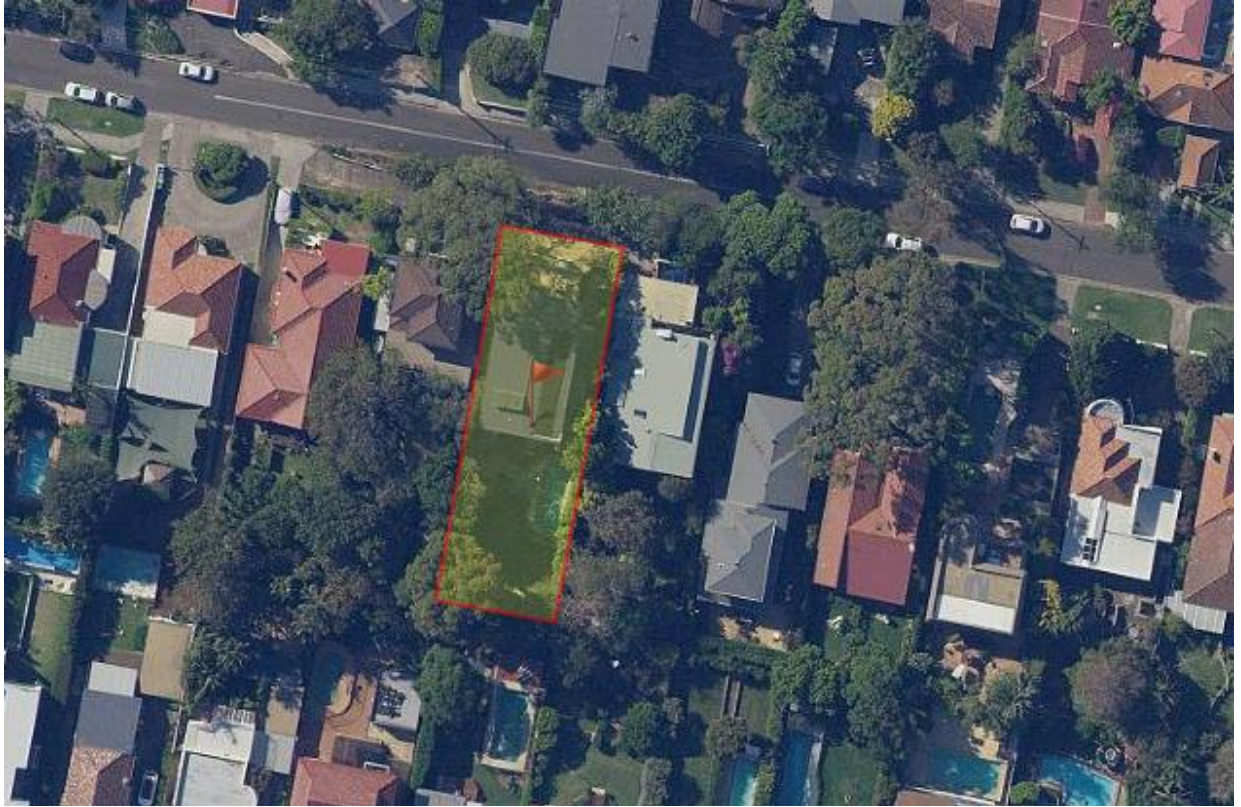


Figure 2 Aerial view of site

Source: Six Maps

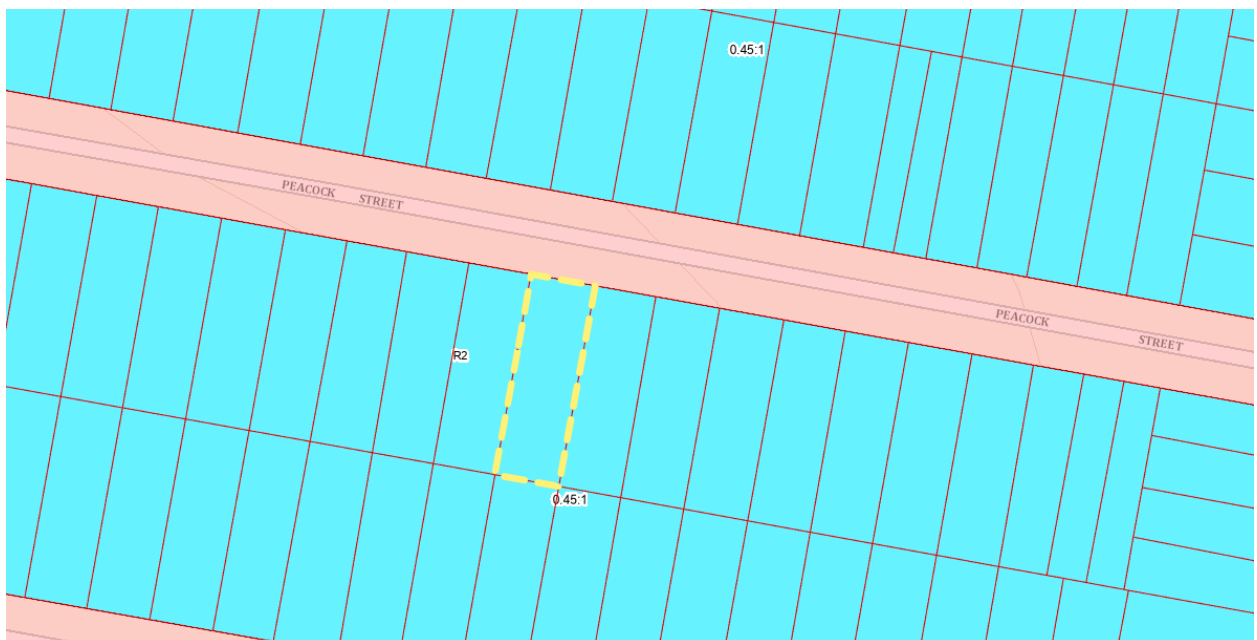


Figure 3 Floor Space Ratio

Source: Manly LEP 2013 FSR Map Sheet FSR_001 accessed 17/05/2025

1.3 Location and Surrounding Environment

The property is described as Lot 19 DP 7750. It is situated in Seaforth, on the south western side of Peacock Street, and it is situated in close proximity to Frenchs Forest Road.

The site, along with its adjoining properties to the east and west, sits on a sandstone escarpment created by the road cutting. It is orientated approximately north - south, and is accessed off Peacock Street via a ramped driveway on top of the road cutting to the north of the property. Adjoining the property to the east is a dwelling house at No 19 Peacock Street and to the west a dwelling house at No 23 Peacock Street. To the rear it adjoins property No 20 Ellery Parade to the south. The immediate neighbouring properties to the north are Nos 22 to 26 Peacock Street however these appear distinctively separate due to their lower position on the road cutting.

The property has an estimated site area of 726.6m² and a street front width of about 15.09m.

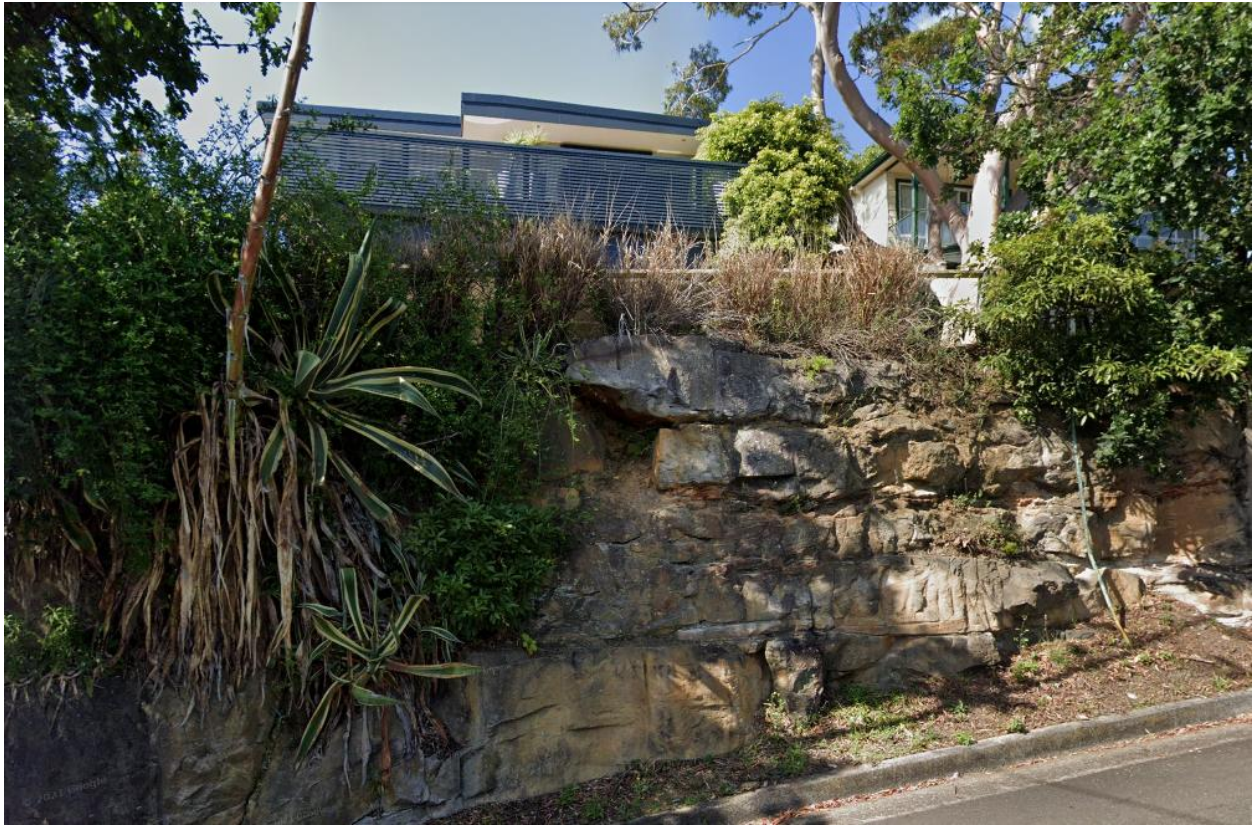
The property is in zone R2 Low Density Residential and it is surrounded by other low density residential development comprising of single dwelling houses on relatively large lots.

The broader environment contains single dwellings. The site is located in close proximity to Frenchs Forest Road and has considerable amenity by way of its size and views across to Middle Harbour and Manly.

Photographs of the property and surroundings are set out in **Figure 4** below:

Figure 4 Photos of property and immediate surrounds

Source: Photos by Urban Perspectives unless otherwise stated.



(a) View of property at No 21 Peacock Street and its neighbour at No 23 Peacock Street from Peacock Street. Source Google Maps



(b) View of Peacock Street towards the west with No 23 Peacock Street to the right and No 26 Peacock Street to the left. Source Google Maps



(c) View from front balcony towards the north – west.



(d) View from the front balcony towards the north - east



(e) View from the front balcony towards east over the neighbouring property at No 19 Peacock Street.



(f) View from the front balcony towards west.



(g) View towards property with only No 23 visible from No 26 Peacock Street.



(h) View towards property from the base of the escarpment on Peacock Street.

1.4 Existing property

The site contains a two-storey dwelling house that is of brick construction with metal roof and single storey weatherboard entry area to the east extension and a single storey weatherboard extension to the rear opening onto a timber deck. The rear garden contains an inground pool, a metal shed and a laundry area which includes a shower. The laundry area is a weatherboard structure attached to the rear of the house that has not been approved. A separate Building Information Certificate will be submitted to Council for the laundry area.

The dwelling appears to have been built in the post war period. The property is not listed as a heritage item and it is not situated within a heritage conservation area.

1.5 Development History

A review of Council's records has not revealed a development history that might be relevant to the subject development application.

2. Proposed Development

2.1 Proposal

The Applicant proposes to carry out alterations and additions to the existing dwelling.

The proposed alterations and additions are to provide for the specific housing needs for the owners and include the following work:

- Extension of existing roof over the balcony to the front of the dwelling
- Enclosing of existing 2 car parking space beneath the balcony with timber slatted garage doors in sandstone setting
- Replacement of existing front fence and gate with new to match the garage doors and sandstone surrounds
- Replacement of existing doors to balcony with new glazed wall
- Internal alterations to rationalise living areas and habitable rooms
- Associated work to facilitate these additions.

It is intended that the proposed work will ameliorate the substantial solar gain experienced during the summer months in the living areas of this dwelling house, it will provide a more usable private open space by the provision of the roof extension over the balcony, and it will enhance the safety and security of the dwelling house by the provision of the front fence which is to enclose the existing car spaces and provide controlled access to the dwelling house.

In order to ascertain compliance or otherwise with the relevant planning controls, the proposal is assessed against the development standards and development control provisions.

3. Planning Parameters

3.1 Strategic planning documents

3.1.1 Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Regions Plan provides high-level strategic guidance for future development in the Sydney Region.

3.1.2 Eastern City District Plan

The Site is within the established Eastern Harbour City sub-region of the Greater Sydney Region Plan. The Plan requires significant population growth, and in respect of this the provision of housing and infrastructure.

3.2 Environmental Planning & Assessment Act 1979 (EP&A Act)

The proposed development to alterations and additions to the existing building is development that needs consent in accordance with the requirements of section 4.2 of this Act.

3.3 Manly Local Environmental Plan 2013

3.3.1 Zoning and uses

The site is zoned R2 Low Density Residential where, the proposed development is permitted with consent. The relevant objectives of the zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development is consistent with the objectives of the R2 zone as it will enhance the amenity and liveability of the existing dwelling house and provide for the needs of the residents.

3.3.2 LEP controls

A relevant controls table for the LEP is in **Table 1**.

Table 1 Manly LEP 2013 relevant controls Table

Topic	Control	Complies
Zoning	R2 Low Density Residential	Yes. No change is proposed. Proposal meets objectives of zone.
Height of building	8.5 m - Clause 4.3 (2) prohibits a building to exceed stipulated height. CHECK	Yes. The proposed new roof extension over the balcony will result in a maximum height of 7.55m. Otherwise the existing compliant roof will not be altered.
FSR	0.45:1 - Clause 4.4 (2) prohibits a building to exceed stipulated floor space ratio Note the definition of gross floor area (GFA) in Manly LEP excludes balconies with outer walls less than 1.4 metres high.	Yes. A GFA plan accompanies the development application. The plan shows the total GFA is 283.7 and therefore the FSR is 0.39:1 (283.7/726.6). The extension of the balcony does not constitute GFA because the eastern balustrade is only 1 metre high and it is not fully enclosed.
Exceptions to development standards	Under clause 4.6 (3) development that contravenes a development standard may be approved upon written request justifying contravention by demonstrating that compliance is unreasonable or unnecessary and there are sufficient environmental planning grounds to justify contravention. Clause 4.6(4)(b) concurrence of the Planning Secretary needs to be obtained.	N/A

3.4 State Environmental Planning Policies

Unless otherwise provided for, State Environmental Planning Policies (SEPPs) prevail over the LEP.

3.4.1 SEPP (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

Under Clause 6 (1) of this Policy, proposed development may be required to be accompanied by a BASIX Certificate under the Regulations if the proposed work is over \$50,000 or if less than \$50,000 it may opt to be accompanied by one.

A BASIX Certificate accompanies the Development Application for these proposed alterations and additions to this property.

3.5 Environmental Planning and Assessment Regulation 2021

Under clause 91 the consent authority is taken to have refused an application if it fails to determine it within 40 days.

3.6 Manly Development Control Plan 2013

The purpose of the DCP is to make more detailed provisions than in Manly LEP 2013 with respect of development to complement the provisions and achieve the purposes of the LEP. It aims to supplement the provisions of Manly LEP 2013 and guide development in a more detailed manner.

The DCP aims to guide development by controls which:

- (a) Ensure that development contributes to the quality of the natural and built environments
- (b) Encourage development that contributes to the quality of our streetscapes and townscapes
- (c) Ensure that development is economically, socially and environmentally sustainable and to require the principles of ecologically sustainable development to be taken into consideration when determining DAs
- (d) Ensure future development has consideration for the needs of all members of the community
- (e) Ensure development positively responds to the qualities of the site and its context
- (f) Ensure development positively responds to the heritage and character of the surrounding area.

Notwithstanding the prescriptive controls the DCP allows for reasonable flexibility and in this respect states:

Council must satisfy itself that the particular development is suitable for the site, that the impacts have been mitigated, and that there is compliance with the relevant planning controls.

Part 1

Part 1 of this DCP is the introduction.

Part 3

Part 3 of this DCP sets out general principles of development. The objectives of each principle and an address of the relevant objectives is set out here.

3.1 Streetscapes and Townscapes

Objective 1) To minimise any negative impact of walls, fences and carparking on the street frontage

Manly DCP requires that Freestanding walls and fences between the front street boundary and the building be no more than 1m high above ground level at any point. Whilst the proposed new fence will be higher than that stipulated in the DCP, its height and use of material will facilitate its integration with the proposed new garage and will create a more visually pleasing element while provide cohesion to the built form of the dwelling house.

In addition, the fence is not clearly visible from the Peacock because of its elevation above street level and substantial vegetation visually screening the site from street level. As a result, no negative impact will result by way of the proposed fence and garage.

Objective 2) To ensure development generally viewed from the street complements the identified streetscape.

The location of the dwelling house on top of the escarpment makes it difficult to see from the street, and the viewing angle from the public domain at Peacock Street is such that much of the proposed works will not be seen.

The proposed works will be seen from the access ramp and will provide an aesthetically pleasing visual addition to that part of the public domain from which it will be most perceptible.

Objective 3) To encourage soft landscape alternatives when front fences and walls may not be appropriate.

Soft landscaping instead of the fence not a feasible solution for this dwelling house, noting that the intent of the proposed garage and new fence and gate is to secure the owners' property, which lacks passive surveillance from the street.

3.2 Heritage considerations

This part is not relevant to this application.

3.3 Landscaping

This part is not relevant to this application as no impact will result on existing trees on site and only a small landscape element is introduced in front of the proposed new front fence adjacent to the proposed new gate.

3.4 Amenity (Views, Overshadowing, Overlooking / Privacy)

Objective 1) To protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties including noise and vibration impacts.

The proposed development will improve the amenity of the residents of the dwelling house in terms of privacy and ameliorating the substantial thermal loads experienced in summer.

At the same time, the proposal will not result in amenity impacts on the neighbouring properties, as there will be no loss of privacy, sunlight, or views, and no vibration impacts or nuisance will result by way of this development.

Further the proposal will not detract from the scenic amenity of the area nor result in a perceptively increase in bulk of the dwelling house as seen from the public domain.

The proposed extension of the roof will facilitate the screening of the glazed wall and obviate any reflectivity issues.

Objective 2) To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.

The proposed development meets this objective as the proposed extension of the roof over the balcony will enhance this private open space in terms of better privacy and provision of shade to the balcony and the living areas opening on to it.

3.5 Sustainability (Greenhouse Energy efficiency, Thermal Performance and Water Sensitive Urban Design)

Objective 1) To ensure the principles of ecologically sustainable development are taken into consideration within a consistent and integrated planning framework that achieves environmental, economic and social sustainability in the short, medium and long term.

The proposed development is consistent with this objective. A BASIX certificate is submitted with this development application.

Objective 2) To encourage the retention and adaptation of existing dwellings including a preference for adaptive reuse of buildings rather than total demolition. Where retention and adaption is not possible, Council encourages the use of building materials and techniques that are energy efficient, not-harmful and environmentally sustainable.

The proposed development is to carry out a sustainable solution by way of alterations and additions to existing dwelling and to adapt it to accommodate the occupants' needs for more usable space, more liveable private open space and habitable rooms, a secure entry to the dwelling house and secure parking area for the owner's cars and bikes.

Objective 3) to minimise waste generated by development and embodied in the building materials and processes through demolition.

Every attempt will be made to ensure minimisation of waste on site. A Waste Management Plan is submitted with this development application.

Objective 4) to encourage the use of recycled materials in landscape construction works.

There is little opportunity to recycle material, and what there is, will be incorporated in the creation of the small landscaped area in front of the new fence.

Objective 5) to encourage the establishment of vegetable gardens and the planting of fruit trees.

No changes to the existing primary garden are proposed.

Objective 6) To encourage energy efficient building design, construction and practices, that reduce energy consumption (primarily for heating and cooling), reduce the use of non-renewable fossil fuels, minimise air pollution, greenhouse gas emissions and reduce energy bills. And Objective 7) To require that residential site planning and building design optimise solar access to land and buildings.

A set of design measures are set out to facilitate in addressing sustainability such as:

i) Solar access

The dwelling house on the property is existing and will be retained. The front of the house enjoys substantial solar access as it faces approximately due north. However solar gain from the north often results in substantial thermal load in the summer months, and this is aimed at being mitigated by the proposed extension of the roof over the front balcony.

ii) Building form

It is expected that the building form will be enhanced by the proposed alterations to the front of the building and make the available areas more usable, while ensuring that the car spaces and entry to the dwelling house are secure, while being more aesthetically pleasing as seen from the public domain and the neighbouring properties. In order to achieve a more sustainable design solution, it is expected that the materials used will be primarily of plantation timber.

Further, the proposed extension of the roof over the existing balcony is consistent with a similar roof over balcony at the adjoining property at No 23 Peacock Street.

iii) Ventilation

The proposed glazed wall with doors opening onto the front balcony will facilitate the ventilation of the living areas in the upper level of the existing dwelling house.

iv) Solar shading in summer

The proposed extension of the roof over the existing balcony will provide the in summer much needed shading of this private open space and the living areas leading to it.

v) Landscaping for energy efficiency

It is not proposed to include additional landscaping as part of this application, other than to provide a small landscape area in front of the proposed new fence and gate, for aesthetic purposes.

vi) Subdivision

Subdivision is not relevant to this application.

3.6 Accessibility

This part does not immediately apply to the proposed development.

3.7 Stormwater Management

The proposed development will have minimal impact stormwater management and drainage for the site. A stormwater plan is submitted with this development application (DA 09B).

3.8 Waste Management

Objective 1) To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development.

The proposed development will comply with the objectives of this clause during the construction stage, otherwise waste storage and collection arrangements will remain the same.

3.9 Mechanical Plant Equipment

No mechanical plant or equipment forms part of this application.

3.10 Safety and Security

Objective 1) To ensure all development are safe and secure for all residents, occupants and visitors of various ages and abilities.

One of the aims of the proposed development is to enhance the safety and security of the residents and their possessions. This will be facilitated by the enclosing of the car spaces by the proposed garage doors, and the matching new front fence and gate.

Objective 2) To ensure that the design process for all development integrate principles of 'Safety in Design' to eliminate or minimise risk to safety and security.

A set of design standards are set out in relation to this objective, including:

- i) Locating carpark entry and access on secondary streets of lands where available

It is not possible to change the location of the car parking space or access to it due to obvious site restrictions.

- ii) Minimising the number and width of vehicle access points

No change is proposed to the existing vehicle access point.

- iii) Providing clear sight lines at pedestrian and vehicular crossings

No change is proposed to the pedestrian and vehicular access arrangement.

- iv) Separating pedestrian and vehicular access.

No change is proposed to the pedestrian and vehicular access arrangement. The existing vehicular and pedestrian access points are separate and will remain so.

Objective 3) To contribute to the safety and security of the public domain.

A set of design standards are set out in relation to this objective, including:

- i) Orientating some rooms to the street

The room orientation is existing, however the existing living area does front the street but is set back a considerable distance. This will be ameliorated by the extension of the roof over the balcony as it will provide a sheltered area closer to the access ramp at the front from where there may be better surveillance of the public domain and the access points to the dwelling house.

- ii) Providing sight lines to the street frontage from the windows of at least one habitable room unobscured by trees or any other object

It is not proposed to substantially alter the layout but the proposed extension of the roof over the balcony will facilitate viewing of the entry points from this private open space.

- iii) Ensuring the design of fences, walls and landscaping minimise opportunities for concealment and encourage social interaction

The existing property is largely concealed from the public domain due to its elevation above the existing street level. The proposed new fence and garage gate intend to facilitate the security of the owners' property but will not detract from the existing social interaction opportunities amongst neighbours.

- iv) Preferring double glazing on windows in areas of high street noise rather than the high fences or walls as a sound attenuation measure.

No additional sound amelioration measures are proposed, as the property is set above and back from the street proper.

Part 4 sets out the development controls and development types.

Applicable Provisions for Development that are to be considered are set out in Table 2 below:

Table 2 Manly DCP 2013 Part 4 applicable provisions

Topic	Control	Comment
4.1 Residential Development Controls		
4.1.3 FSR	Enclosed balconies are included in floor space calculation.	<p>It is not proposed to enclose the balcony and would not be characterised as a habitable room. Despite the roof and louvres the balcony remains exposed to elements and the eastern side remains open with the balustrade height being only 1 metre high.</p> <p>Even if the balcony is enclosed, the resultant floorspace would be within the allowable FSR.</p>
4.1.4 Setbacks	<p>4.1.4.1 Street front setbacks</p> <p>a) must relate to front building line of neighbouring properties.</p> <p>b) a min 6m setback where front setbacks vary.</p> <p>c) N/A</p> <p>d) Projections into front setback acceptable for unenclosed balconies, roof</p>	<p>a) the building line of the neighbouring properties is varied, and change is proposed for the front setback.</p> <p>b) Setback is existing.</p> <p>c) N/A</p> <p>d) Balcony is existing and extension of roof will not result</p>

	eaves etc where no adverse impact on streetscape or adjoining properties.	in adverse impacts on adjoining properties.
	<p>4.1.4.2 Side setbacks</p> <p>a) Setbacks between any part of a building and side boundary must not be less than one third of the height of the adjacent external wall of the proposed building.</p> <p>b) Projections into front setback acceptable for unenclosed balconies, roof eaves etc where no adverse impact on streetscape or adjoining properties.</p> <p>c) All new windows from habitable rooms of dwellings that face side boundary to be setback 3m from boundary.</p>	<p>a) Side setback from boundary is existing.</p> <p>b) Side setback of balcony is existing and roof extension will not result in adverse impacts on adjoining properties.</p> <p>c) Windows are existing.</p>
4.1.6 Parking and Vehicular Access		
	<p>4.1.6.1 Parking design and location of garages</p> <p>a) design and location of garages or hardstand areas must minimise their visual impact on the streetscape and neighbouring properties and maintain desired character of locality.</p> <p>b) N/A</p> <p>c) Max width of garage, car port or hardstand area not to exceed a width equal to 50% of frontage up to a maximum 6.2m</p>	<p>a) The 2 car space carport is existing and will only be enclosed into a garage by use of timber slatted doors. This should not result in any adverse visual impact either from the neighbouring properties or the street, nor should it detract from the character of the locality.</p> <p>b) N/A</p> <p>c) The width of the car spaces is existing and it is not proposed to alter this.</p>

4.1.7 First Floor and Roof Additions

- | | |
|---|---|
| <p>a) First floor additions to complement architectural style of ground floor and retain existing roof forms. Addition may follow existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss, or privacy issues.</p> | <p>a) The proposed roof extension will be over existing balcony which follows existing ground floor setbacks. This proposed extension should not result in amenity impacts on adjoining properties.</p> |
|---|---|

4.1.10 Fencing

- | | |
|---|---|
| <p>Freestanding walls and fences between the front street boundary and the building are to be no more than 1m height above ground level at any point.</p> | <p>Property does not currently meet these requirements. The proposed front fence is not freestanding but an extension of the proposed garage and an integral part of the design of the street front view of the dwelling house.</p> <p>As a result, necessarily the height of the fence is consistent with the garage gate which however should not result in adverse visual impact as seen from the public domain.</p> |
|---|---|

4.4.2 Alterations and additions

- | | |
|--|--|
| <p>a) If alterations and additions involve demolition of more than half of building then development will be assessed as new work.</p> <p>b) N/A</p> | <p>a) The demolition proposed is minor and will not comprise 50% of existing dwelling house.</p> <p>b) N/A</p> |
|--|--|

4. Summary

4.1 General

The proposed alterations and additions to the property at No 21 Peacock Street Seaforth comprise the extension of the roof over the existing balcony to the front, the enclosing of the existing car port under the balcony with timber slatted garage doors and sandstone surrounds, the incorporation of the front fence and gate into the new garage, the demolition of part of the front wall to the upper level and the construction of a new glazed wall opening onto the balcony, and internal and associated works to renovate the dwelling house.

The proposed work is to increase the amenity of the existing dwelling house, to provide a sheltered private open space as part of the balcony, to increase the visual surveillance of the front of the property, and to secure the existing car spaces and dwelling house.

The property and its adjoining neighbours on Peacock Street are situated above and beyond the public street at the front. This results in the property being barely visible from the street, which causes security and safety concerns for the residents of the dwelling house and their property.

The proposed alterations and additions intend to address some of the security and safety concerns, while providing a more liveable space for the occupants.

No substantial additional overshadowing or overlooking of the adjoining properties is likely to result by way of this development.

It is submitted that the relevant matters were considered under the EP&A Act 1979, the relevant SEPPs and other environmental planning instruments and it is demonstrated that the proposed development largely complies with the relevant development controls, to the degree allowable due to the fact that the dwelling house is existing.

As most planning parameters are met, the consent authority may consider the development application as suitable for approval.