

## Urban Design Referral Response

Application Number:	DA2018/1669
To:	Benjamin Price
Land to be developed (Address):	Lot B DP 368451 , 21 Whistler Street MANLY NSW 2095

### Officer comments CURRENT COMMENTS

#### MLEP 2013

##### 4.3 Height of Buildings

As per previous Officer Referral Comments 12/11/2019, the increased height representative of the whole upper storey cannot be supported.

#### MDCP 2013

##### 3.3.1 Design Principles

Amendments to the drawings; recessing the entrance porte cochere to provide a more generous entrance is supported.

Details in the revisions to the treatment of the facade can be supported. However it is noted there are several wood look cladding materials.

Preference is for a natural material; face masonry for instance at the ground/podium level which represents materials that will stand the test of time rather than cladding elements which over time have a tendency to fall away, get damaged and require replacing.

Generally comments in the previous referral still apply.

As indicated above the application is unsupported due to breach of height by almost a whole storey.

END

### PREVIOUS COMMENTS

The proposed development in its current form cannot be supported;

#### 1. Built Form Controls

##### MLEP 2013

##### 4.3 Height of buildings

(1) The objectives of this clause are as follows:

(a) to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality,

(b) to control the bulk and scale of buildings,

(c) to minimise disruption to the following:

(i) views to nearby residential development from public spaces (including the harbour and foreshores),

(ii) views from nearby residential development to public spaces (including the harbour and foreshores),

(iii) views between public spaces (including the harbour and foreshores),

(d) to provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

## COMMENTS

The height of the proposed development represents a breach of the number of storeys control on the Building Height Map by one storey approximately. Although the drawings demonstrate that the top storey is not quite a full storey above the height breach it still represents additional height, such that when viewed from aspects up Raglan Street escarpment will present a visual breach above the surrounding development and raises potential view obstruction /loss to residents further up the western escarpment residential zone.

With a height datum of approximately 23.20 (documented on the drawings with the Roof RL 22.20 plus additional building and roof elements of the top level measured off the drawings at approx. 1m) measured to the ground level RL 5.73 represents 17.47 m in height demonstrating a 2.47 metre height breach.

In this regard the upper storey cannot be supported. Deletion of the upper storey is recommended.

### 6.13 Design excellence

*(1) The objective of this clause is to deliver in Manly the highest standard of architectural and urban design of buildings and public spaces.*

*(2) This clause applies to development involving the erection of a new building or external alterations to an existing building:*

*(a) on land in Zone B2 Local Centre, and*

*(b) on land to which clause 6.19 applies.*

*(3) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.*

*(4) In considering whether development exhibits design excellence, the consent authority must give consideration to whether the development:*

*...*

*(c) clearly defines the edge of public places, streets, lanes and plazas through separation, setbacks, amenity, and boundary treatments, and*

*(d) minimises street clutter and provides ease of movement and circulation of pedestrian, cycle, vehicular and service access, and*

*...*

*(f) is sympathetic to its setting, including neighbouring sites and existing or proposed buildings, and*

*...*

*(h) promotes vistas from public places to prominent natural and built landmarks, and*

*(i) uses high standards of architectural design, materials and detailing appropriate to the building type and location, and*

*...*

## COMMENTS

The site is adjacent a one way street which is activated at ground level by several businesses fronting the street. Enhancing of the fine grain detail at the public/private interfaces should be further developed. Refer design principles comments below.

### **MDCP 2013**

#### 3.1.3 Townscape (Local and Neighbourhood Centres)

##### 3.1.3.1 Design Principles

*The following design principles and requirements at paragraphs 3.1.3.1.a) to i) should be achieved in all development involving the erection of a new building or external alterations to an existing building in order to:*

- maintain and enhance the townscape of the former Manly Council area's LEP Business Zones:*

- *achieve the townscape objectives of this plan; and*
- *consider that the development exhibits design excellence in accordance with considerations of LEP clause 6.13(4) (as a statutory consideration for land in Zone B2 Local Centre and as a DCP consideration in other zones)*

*A scale and design of building appropriate to this local role should then be achieved.*

#### *Local role of the site*

*a) The local role of the site and existing buildings should be determined, viewed from the following perspectives:*

- (i) from a distance and along routes and from viewpoints leading towards the locality; (see Figure 3a)*
- (ii) in relation to the adjacent spaces it borders and the need to define those spaces; (see Figure 3b)*

#### *Design Details*

*c) Design details of proposed developments must complement adjacent building in the locality with particular reference to:*

- (i) the scale, proportion and line of visible facades;*
- (ii) the pattern of openings and the visual pattern of solids to voids on facades;*
- (iii) both the overall wall and parapet height and the height of individual floors in relation to adjoining development and important corner buildings and the height of awnings. See also paragraph 4.4.4; and*
- (iv) materials, textures and colours;*

#### COMMENTS

The entrance to the apartment block, whilst under full cover for the length of building frontage, demonstrates there is little depth/space to the entrance/porte cochere for a resident waiting; no setdown space for prams, shopping or other such that it becomes a somewhat redundant articulation. A deeper entrance porte cochere that reasonably accommodates several people needs to be addressed. The building line of enclosure at the frontage should be recessed further into the building to provide relief from the pedestrian footpath; a place for pause and retreat from the pedestrian flows and movement on the footpath. Currently there is less than 500mm for this area. This should be increased to a minimum 2 m from the boundary to allow for adequate circulation for residents including those with disabilities (DDA requirements).

Similarly the building façade aligns with the existing line of buildings fronting this street. However, the tenancies' glazed façade walls provide little articulation or relief from the zero lot alignment to the frontage. Consideration as to the commercial tenancies and the patronage/uses should be considered; is there an opportunity to provide further articulation, returning back into the buildings to provide niches for street occupation and street activation, or splaying of the orthogonal corners of the entrance or continuation of glazing around the corner to return into the entrance walls of the building, to provide further street wall relief at the pedestrian level demonstrating a more fine grain public/commercial interface.

Further design development of the façade and entry sequence into the residential element of the building should be considered more thoroughly by the applicant.

#### Building Materials

The proposed development notes the rendered block finish as part of the suite of materials of the architectural design .

Colour selections should consider the whole of life and maintenance requirements for the building, particularly consideration to the selection of lighter colours that age and deteriorate very quickly with weather and traffic pollution .

#### *3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)*

*Relevant DCP objectives to be met in relation to these paragraphs include the following:*

*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.*

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

*Designing for Amenity*

*a) Careful design consideration should be given to minimise loss of sunlight, privacy, views, noise and vibration impacts and other nuisance (odour, fumes etc.) for neighbouring properties and the development property. This is especially relevant in higher density areas, development adjacent to smaller developments and development types that may potentially impact on neighbour's amenity such as licensed premises.*

*b) Development should not detract from the scenic amenity of the area. In particular, the apparent bulk and design of a development should be considered and assessed from surrounding public and private viewpoints.*

*c) The use of material and finishes is to protect amenity for neighbours in terms of reflectivity. The reflectivity of roofs and glass used on external walls will be minimal in accordance with industry standards. See also Council's Administrative Guidelines regards DA lodgement requirements for materials and finishes.*

**COMMENTS**

The Pre Lodgement meeting notes request the applicant provide documentation demonstrating perspective views, rigorous assessment of view corridors of the development from up the escarpment. It is difficult to assess this view aspect in accordance with the control as no view analysis has been presented.

See also Height of Buildings Comment above.

**2. Apartment Design Guide (ADG)**

**3G-1 Building Entries**

Whilst the applicant has noted the façade articulation provided at the point of entry to the building, this is less than would be comfortable in terms of circulation to access the building and the immediately adjacent (500 or less) proximity to the pedestrian footpath. This should be increased to provide a generous entry point and waiting area as discussed above.

**4A Solar and Daylight Access**

Loss of solar gain to the adjacent habitable rooms to the building to the south is not an optimal outcome. The building separation and setback that has been provided is more a commitment to the access laneway to the site with a minimal width to allow for access to the rear.

The separation provided (less than a metre) and by virtue of the adjacent properties' wall with varying heights of fenestration and the proposed building will cut all solar amenity to the southern property.

A minimum distance recommended from blank room to habitable room is 3m.

Additionally, the requirement for separation under the BCA/NCC will also determine the required building separation for fire requirements from habitable windows to the blank wall of the proposed development. The applicant is encouraged to further develop the design in line with the above mentioned comments, statutory and regulatory constraints of the site.

**Recommended Heritage Advisor Conditions:**

Nil.