
Sent: 12/05/2021 5:28:07 AM
Subject: DA 2021/0008 at 12-14 Ponsonby Parade, Seaforth
Attachments: Submission - 12-14 Ponsonby Parade, Seaforth.pdf;

Dear Council

Please see attached submission to DA 2021/0008 at 12-14 Ponsonby Parade, Seaforth.

Regards

Matthew O'Donnell
Director



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The General Manager
Northern Beaches Council
PO Box 82
Manly
NSW 1655

12 May 2021

Dear General Manager,

Submission in Relation to Development Application – DA2021/0008 – 12-14 Ponsonby Parade, Seaforth

We write on behalf of owners Mr & Mrs J.A. de Lasala of 11 and 13 Ponsonby Parade, Seaforth who have lived here for over 60 years and who wish to tender a formal objection to the amended Development Application (DA 2021/0008) lodged with Northern Beaches Council for the *Demolition works and construction of a senior's living development over basement car parking* on land at 12-14 Ponsonby Parade, Seaforth.

We also advise that we have prepared a previous submission to this proposal dated 4 February 2021, for which all previous matters which give rise for concern for our clients remain having reviewed the amended proposal.

The owners' strong concerns remain having reviewed the amended proposal, and the outline below summarises the aspects of the proposal as amended for which our client is concerned:

- The height, scale and bulk of the development considered in terms of the siting of the proposed built form and its surrounding context;
- The height, scale and bulk of the development considered in terms of the streetscape character;
- The loss of views;
- Misleading Transport Facts;

The above-mentioned points are elaborated upon in the remainder of this submission.

1. The height, scale and bulk of the development considered in terms of the siting of the proposed built form and its surrounding context

The proposed scale bulk and massing of the proposal remains unchanged when viewed from Ponsonby Parade and Ross Street. The applicants have made no attempt to reduce the overall building envelope or height of the proposal in order to mitigate any previous concerns raised by our clients.

The proposed development still exhibits a bulk and scale significantly greater than the existing built form on the site and set with a much larger building footprint than the existing built form. The proposed increased building height and bulk creates an increased sense of scale and massing to the streetscape and is detrimental to the views and outlook enjoyed by neighbouring dwellings.

As previously stated, the applicants fail to provide a Clause 4.6 variation statement which is a statutory requirement for seeking flexibility with the FSR standard to ensure the proposal achieves the best built form and amenity outcome for the site. The proposal clearly exceeds the LEP FSR standard of 0.45:1 and exceeds the SEPP minimum 0.5:1 or less for refusal. Therefore, the proposal is not well justified, and Council are well within their means to refuse the proposal based on a non-compliant density.

The building still lacks a sufficient level of articulation to building facades which are long and contribute to a significant scale and massing of the proposal which is not consistent with the streetscape or surrounding development which are primarily low-density residential dwellings.

2. The height, scale and bulk of the development considered in terms of the streetscape character

The height poles that have been erected on site clearly demonstrate the excessive scale and height of the proposal. The height poles demonstrate the building height and bulk will be out of character with the relatively low-density streetscape.

The proposed height and built form which is still excessively box like in shape contributes to being an unsightly building which shows little sympathy to its adjoining neighbours, or the desired character of the area.

The following figures 1-4 illustrate the height poles erected by the applicants and demonstrate the extent of the impacts within the streetscape and to the character of the area.



Figure 1: The proposed height is excessive and will alter the low density character of 12-14 Ponsonby Parade. In addition, the overall bulk and height will significantly encroach upon the front setback that is currently generous at 12-14 Ponsonby Parade.



Figure 2: This image with the height poles clearly demonstrates the significant impact the proposal will have on Ponsonby Parade when one considers the height, bulk and massing of the proposal as amended. Development of this scale is clearly out of character with the area.



Figure 3: The height bulk and scale will impact the streetscape of Ponsonby Parade and the streetscape of Ross Street.



Figure 4: The height bulk and massing fronting Ponsonby Parade and located adjacent 10 Ponsonby Parade will be significant and alter the character of the streetscape.

3. The loss of views

The height poles that have been erected, along with the minimal amendments to the proposed plans clearly demonstrate that loss of views will occur. As previously stated Council are aware, Tenacity Consulting v Warringah [2004] NSWLEC 140 states that “*where an impact on views arises as a result of non compliance with one or more planning controls, even a moderate impact may be considered unreasonable*”. In this case, the impacts to 9 Ross Street and 16 Ponsonby Parade is certainly “*significant*” especially in relation to losses to the district views the harbour.

4. Misleading Transport Facts

The applicants have provided an amended Access Report, prepared by Accessibility Solutions. Our review of this report finds it to be misleading. When relying upon Clauses 26 and 38 (a) of the SEPP Housing for Seniors and People with a Disability, the Access Report incorrectly states that multiple bus routes service Ponsonby Parade including 143, 144, 145, 168, 168X, 169, 173 and 248. This is misleading information and factually incorrect to demonstrate the area is serviced well by public transport.

We agree that Route 144 and 145 buses do pass the site on Ponsonby Parade, however there are currently no other State Transit services which pass the site with bus passengers having to change services at Seaforth shops or Manly to reach destinations other than Manly, Chatswood or Warringah Mall. Further, while the 144 service (Manly to Chatswood) is very regular, the 145 service (Warringah Mall to Seaforth) operates only 5 times a day at hourly intervals. This is also verified by Council’s Traffic Engineer in their referral response as published on Council’s website.

Many residents in the area (including our clients) have signed a petition lodged by local member, James Griffin to the Transport Authority, complaining that all bus services to the city via Palmerston Place and Ponsonby Parade have been cancelled. Therefore for the applicant to say that the area is well serviced by public transport is simply not true.

As previously stated, the provision of additional resident and visitor traffic will increase local traffic to the area which will in turn alter the quiet low-density character of the streetscape.

5. Vehicular Access

We note the proposed driveway remains as part of the proposal. As previously stated, the proposed driveway for Ponsonby Parade should not be allowed. There are no driveways from 16 through to 10 Ponsonby Parade. Except for 16 Ponsonby whose driveway is on Panorama Parade, they all have rear vehicular access onto Ross Street because those properties are too close to the dangerous intersection of Panorama and Ponsonby Parade, and traffic flies down that section of road in the direction of the Seaforth commercial area. The proposed driveway should remain on Ross Street.

Conclusion

We urge Council to reject this application for the reasons set out above and our previous submission dated 4 February 2021.

Should you wish to discuss any matters raised in this submission, or seek to arrange access to the site for a visit to see first hand the potential impacts of the proposal, then please contact Matthew O'Donnell on 0417 024997 or modonnell@modurban.com.au.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Mod Urban'.

Matthew O'Donnell

Director

Mod Urban Pty Ltd

For and on behalf of Mr & Mrs J.A. de Lasala