

# 1 Peacock Street, Seaforth New Double Carport

Statement of Environmental Effects – December 2018



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## INTRODUCTION

### 1. Overview

This Statement of Environmental Effects has been prepared by Mod Urban Pty Ltd to support a development and relates to the proposed new double carport at 1 Peacock Street, Seaforth. The site is legally described as Lot 2 DP 115063.

The proposed new carport is highly compatible with the existing development and use of the site as well as surrounding land uses and streetscape.

The provisions of the Manly LEP 2013 apply to the site, and the proposal is considered to be consistent with its objectives. The site is also located within the Northern Beaches Council area.

This SEE provides an assessment of the proposal against the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulations 2000 (as amended).

## SITE ANALYSIS

### 2. The Subject Site

The site is located at 1 Peacock Street, Seaforth and is legally described as Lot 2 DP 115063.

#### 2.1 Site Details

- The site is roughly rectangular in shape and is located within a single storey building with a pitched roof.
- It has a primary street frontage to Peacock Street to the north.
- The current use of the site is a residential dwelling.
- The building is not a locally listed heritage item and is not located within a conservation area.
- An existing two car hardstand and vehicle crossover exists at the front of the site.

The site is identified in **Figure 1** of this SEE.



**Figure 1:** The site (Source: Six Maps)

#### 2.2 Site Surrounds

- Surrounding land uses are predominantly low density residential.



- Similar scaled car ports are currently located at 4, 8 and 12 Peacock Street, in close proximity to the site.



## PROPOSED DEVELOPMENT

### 3. Overview

The proposal relates to proposed new double carport at the front of the property at 1 Peacock Street, Seaforth. The proposed plan and elevations is included at **Appendix A** of this report.

#### 3.1 Proposed Use

- The use of the premises will remain as a residential dwelling;

#### 3.2 Built Form

- The proposal does include minor external alterations to the premises at the front of the property for the construction of a two-car carport.
- The carport will be freestanding with a pitched metal roof
- A new picket pedestrian swing gate and step/landing.
- Retrospective consent is proposed for the hardstand area.

## LEGISLATIVE FRAMEWORK

### 4. Overview

This Part of the SEE assesses and responds to the legislative and policy requirements for the project in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act).

The following current and draft State, Regional and Local planning controls and policies have been considered in the preparation of this application:

#### State Planning Context

- Environmental Planning and Assessment Act 1979

#### Local Planning Context

- Manly Local Environmental Plan 2013 (MLEP)
- Manly Development Control Plan 2013 (MDCP)

This planning framework is considered in detail in the following sections.

### 4.1 Environmental Planning and Assessment Act 1979

Section 4.15 of the Environmental Planning and Assessment Act 1979, requires that in determining a development application, a consent authority is to take into consideration the following matters as are of relevance to the development:

Section 4.15 Matters for Consideration	Comment
(a) the provisions of: (i) any environmental planning instrument, and	See relevant sections of this report.
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Nil
(iii) any development control plan, and	The proposal generally satisfies the objectives and controls of the Manly DCP 2013. See table below and where necessary key issues section of this report.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning	Not applicable

Section 4.15 Matters for Consideration	Comment
<i>agreement that a developer has offered to enter into under section 7.4, and</i>	
<i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</i>	The relevant clauses of the Regulations have been satisfied.
<i>(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	The environmental impacts of the proposed development on the natural and built environment have been addressed in this report.  The proposal will not result in detrimental social or economic impacts on the locality.
<i>(c) the suitability of the site for the development,</i>	The proposed development is suitable for the site.
<i>(d) any submissions made in accordance with this Act or the regulations,</i>	No submissions have been raised at this stage, and the applicant has notified each adjoining neighbor of this proposal.
<i>(e) the public interest.</i>	The proposal is in the public interest as it provides upgrades to existing housing stock, and will not impact upon the streetscape character and not result in detrimental amenity impacts to neighbours.

## 4.2 Manly Local Environmental Plan 2013

### Use and Zoning

The Manly Local Environmental Plan 2013 (MLEP2013) was prepared to meet new State Government guidelines for local planning documents.

The subject site is located in Zone R2 Low Density Residential Zone under Manly LEP, 2013 and the works and continued residential use is permissible within the zone.

### Height of Buildings

The Manly LEP gives provision of a maximum building height on the site of 8.5m. The car port structure does not exceed the height of the existing dwelling or the 8.5m maximum for the site.

### FSR

The proposal does not increase GFA on site, and subsequently no change to FSR is proposed.



### 4.3 Manly Development Control Plan 2013

The Manly Development Control Plan 2013 (the DCP) was adopted by Manly Council in 2013.

The Environmental Planning and Assessment Amendment Act 2012, which commenced on 1 March 2013, has clarified the purpose and status of development control plans, being to '*provide guidance*' to proponents and Councils in achieving land use zone objectives and facilitating permissible development under an environmental planning instrument.

Furthermore, to assist in the assessment of development applications, the amended legislation states that where a proposal does not comply with DCP controls, the consent authority is to be '*flexible in applying those provisions*' and allow for '*reasonable alternative solutions*' that achieve the objectives of those standards for dealing with that aspect of the development.

It is important to recall these revisions to the status and application of DCPs in development assessment.

Section 97C, subsection (3A) of the EP&A Act provides the following:

(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

(a) *if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*

(b) *if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*

(c) *may consider those provisions only in connection with the assessment of that development application.*

The review of the Manly Development Control Plan is applicable to the proposed hours of operation and signage. In light of this we have addressed the following controls in the table below.

Manly DCP 2013 Control	Compliance Y/N	Comment
3.1 Streetscapes Townscapes	Y	<p>The proposed alterations at the front of the premises will maintain the character and appearance of the building and the character of the surrounding area.</p> <p>Similar examples of carports within Peacock Street currently exist, in particular at 4, 8 and 12 Peacock Street, where precedent already exists.</p>

Manly DCP 2013 Control	Compliance Y/N	Comment
		Off street parking along Peacock Street is predominately located forward of the building line
3.3 Landscaping	Y	<p>No changes to site landscaping are proposed, with the exception of a new step/landing at the pedestrian gate and minor modifications to the western garden bed retaining wall to facilitate a new pedestrian gate.</p> <p>The existing paved vehicle crossover and hardstand will be utilised and will not be altered.</p>
3.4.1 Sunlight Access and Overshadowing	Y	<p>The proposed open nature of the car port will ensure good provision of solar access to all habitable living areas, in particular to the existing front sunroom.</p> <p>No adjoining habitable rooms will be impacted from the proposal in terms of natural light access and shadowing.</p> <p>The proposed impacts are considered negligible.</p>
3.4.2 Privacy and Security	Y	The proposal will not minimise privacy or have a visual impact and will maintain the environmental amenity of adjacent development.
3.4.3 Maintenance of Views	Y	No existing views will be compromised as a result of the proposal.
3.4.4 Amenity – Other Nuisance	Y	The existing residential land use will contribute to providing a safe environment in the locality and minimise opportunities for criminal and anti-social behaviour.
3.5.1 Solar Access	Y	<p>The proposed open nature of the car port will ensure good provision of solar access to all habitable living areas, in particular to the existing front sunroom.</p> <p>No adjoining habitable rooms will be impacted from the proposal in terms of natural light access and shadowing.</p>

Manly DCP 2013 Control	Compliance Y/N	Comment
3.5.3 Ventilation	Y	The proposal gives provision of natural ventilation to the carport through the provision of open sides.
4.1.2 Height of Buildings	Y	Refer to Section 4.2.
4.1.3 FSR		Refer to Section 4.2.
4.1.4 Setbacks	Y	The proposal maintains the existing building setbacks at the front, side and rear.
4.1.5 Open Space and Landscaping	Y	No changes to site landscaping are proposed.
4.1.6 Parking, Vehicular Access and Loading	Y	<p>The proposed carport will maintain the character and appearance of the building and the character of the surrounding area.</p> <p>Similar examples of carports within Peacock Street currently exist, in particular at 4, 8 and 12 Peacock Street, where precedent already exists.</p> <p>The proposed carport structure will not dominate the street frontage. No other reasonable alternative to locating the carport on site exists owing to the existing site layout.</p> <p>The proposed carport is open on both sides and at the front.</p> <p>The maximum width of the proposed carport does not significantly exceed 50% of the site frontage, however it largely reflects the existing two car hardstand at the front of the site. The proposed carport is a similar scale, width and bulk to that at 8 Peacock Street.</p> <p>The vision and site lines for vehicles entering and existing the site is good, and separate pedestrian entry is proposed from vehicle entry.</p> <p>A single vehicle cross currently exists, and is not intended to be widened and compromise on street parking.</p>



## LIKELY IMPACTS OF DEVELOPMENT

### 5. Overview

The likely environmental impacts of the proposed development that have been assessed include:

- Context and Setting;
- Amenity;
- Parking and Access;
- Social, Environmental and Economic Impacts; and
- Suitability of the Site

#### 5.1 Context and Setting


- The proposed new carport structure is appropriate to the setting and this is achieved through high quality design of the proposed alterations. The proposed works will upgrade and revitalise the appearance of the site and provide a good quality of accommodation to the occupiers.
- Off street parking along Peacock Street is predominately located forward of the building line
- The proposed carport to the front of the site is located in an area where minimal impact to surrounding land uses will occur, or to the surrounding streetscape.
- The proposed carport will maintain the character and appearance of the building and the character of the surrounding area.
- Similar examples of carports within Peacock Street currently exist, in particular at 4, 8 and 12 Peacock Street, where precedent already exists.
- The proposal will provide an appropriate urban form and orientation and creates a natural addition to the building.
- The proposal will not exhibit any significant environmental impacts and will not adversely impact on the amenity of any adjoining sites. Therefore, the proposed works are considered compatible with the site context.

#### 5.2 Design and Appearance

- The overall scale and bulk of the carport is appropriate for the front of the dwelling and is consistent with the scale and bulk of similar carports within the locality.
- The open sides of the carport and open front contribute to reducing the overall perceived bulk of the structure.

#### 5.3 Amenity

- The proposed carport and its open sides and front will ensure the existing dwelling still receives good provision of solar access to all habitable living areas.
- No additional overshadowing will occur to either neighbouring properties. No adjoining habitable rooms will be impacted from the proposal. The proposed impacts are considered negligible.
- The proposal will not minimise privacy or have a visual impact and will maintain the environmental amenity of adjacent development.
- No existing views will be compromised as a result of the proposal.

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- The exiting vehicle hardstands are currently in use for parking, and no additional noise is likely to occur from vehicles.

#### **5.4 Parking and Access**

- The existing hardstand is constructed in accordance with AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking.
- The vision and site lines for vehicles entering and existing the site is good, and separate pedestrian entry is proposed from vehicle entry.
- A single vehicle cross currently exists, and is not intended to be widened and compromise on street parking.

#### **5.5 Social, Environmental and Economic**

The proposal will enable the continued use of the site as a residential accommodation, consistent with its current use as residential accommodation whilst preserving the visual character of the site. The application will ensure that the site contributes to the provision of range of housing choices across Sydney, and relieve congestion on surrounding streets.

The proposal will not have any adverse economic or environmental impacts.

#### **5.6 The Suitability of the Site for Development**

Located within the R2 Low Density Residential zone, the use of the premises is consistent with the zone objectives, the provisions of relevant statutory and strategic documents and the surrounding context.

The proposal is of a nature in keeping with the overall function of the site. The premises are in a predominantly residential surrounding and amongst similar uses to that proposed.

The proposed development is also compatible with surrounding land uses and will achieve a good level of amenity for adjoining land owners and operators.

Accordingly, the site is considered to be suitable for the development.

#### **5.7 Any Submissions Made in Accordance with the Act**

No submissions are apparent at the time of writing.

#### **5.8 The Public Interest**

The proposed development will have no adverse impact on the public interest.



## CONCLUSION

This SEE provides an assessment of the proposal against the relevant environmental planning framework.

The assessment finds that the proposal is consistent with the objectives and controls of the relevant statutory and policy framework. No adverse environmental, economic or social impacts have been identified as resulting from the proposed development.

No additional significant adverse impacts have been identified as likely to arise from the proposed development which has been favourably assessed against the relevant provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

It is therefore considered that the proposal responds to site constraints and provides a suitable outcome. Accordingly, it is requested that Council grant consent to the proposal.



## Appendix A – Plans



## **Appendix B – Cost Summary**





## Appendix C – Waste Form