

PROPOSED AFFORDABLE HOUSING

8-10 COUNCIL ST AND 27 PAUL ST WAVERLY

SEPP (AFFORDABLE HOUSING) CLAUSE 16A - REPORT

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Clause 16A - Character of local area:

The SEPP requires Council to consider whether the design of the development is compatible with the character of the local area. There are no guidelines associated with the SEPP to provide Council with guidance in the determination of what is compatible development with the character of the local area. However, the Land and Environment Court has considered this issue many times in its role in deciding legal appeals for development applications. It has issued a planning principle on this matter that is a useful guide for the purposes of this assessment. The character assessment for the current proposal is provided in the following section:

Part A – Identify the local area

The local area for the purpose of the assessment of this development application is considered to be the area bound by the following streets:- council St to the west and Paul st to the east. We should also give consideration to the intersections nearby and the council Chamber diagonally opposite in Paul St.

The local area is indicated in the following map showing the Subject site and its immediate surrounds.



Part B – Determine the character of the local area.

The existing zoning of the locality is medium Density Residential. The local area is to the eastern fringe of the R4 zoning and adjoins the R3 medium density zoning to the east of the site. There is a broad mix of building densities I the local area. To the south, and north and West are mulit storey residential development, some older and some new. Future built forms in the surrounding areas are likely to incorporate a mixture of residential flat building similar to the newer ones recently completed. The council Chambers does no seam to take any existing typologies into account with its mass and siting.

Below are streetscape photographs of the immediate area, showing the large multi storey residential flat buildings close to single storey traditional houses. The buildings on the opposite side of the street are 2-3 storey generally and there is a multi-storey building at the

crest of the hill and the bottom of the hill at the intersection. To the south of the heritage home on council street is a multi-unit development, that uses a pitch roof that does not resonate with the heritage parapet style.



Council St looking south



Council St directly across the road



Paul St looking south

Part C – Determine if development is compatible with character of the local area.

Compatibility within the urban environment is an issue that has been given detailed consideration by the Land and Environment Court. In the decision of Project Ventures Development Pty Limited and Pittwater Council, the Senior Commissioner of the Court was asked to consider the process of deciding whether a building is compatible with its surroundings. This led to the development of a Planning Principle that planners could refer to as a guide on this particular issue.

The planning principle states there are two important aspects of compatibility that need to be satisfied:

- Are the proposal's physical impacts on surrounding development acceptable?

The physical impacts include constraints on the development potential of surrounding sites. Physical impacts generally include privacy, overshadowing, visual bulk and compatibility in the streetscape. In terms of the physical impacts of the development, the following points are made: –

- The design of the proposal and orientation of the lot means there will typically be some overshadowing to the adjoining property to the south; however, the shadow diagrams show that the impact from the new works is negligible, and on the Paul St side the area impacted is carpark and access paving.
- Privacy impacts are mitigated through the use of building separation and provision of highlight windows to side boundary facing bedrooms.
- Noise impacts are reduced by the siting- the Council St building generally maintains the RBZ of the adjacent dwellings, and as the units are small there is less noise generated, the Paul St addition is adjacent to parking and access area. Also the setbacks are adequate to provide decent separation between lots.
- The proposal is appropriate for the consolidated parcel of land. The development will have acceptable impact on neighbouring privacy, it retains the green space between the 'lots' to maintain the pattern of development, does not result in any unreasonable exacerbation of the existing overshadowing potential (due to lot orientation), and provides for appropriate setbacks and height which does not result in undue visual bulk.
- The proposal will not impact on the development potential of adjoining sites by isolating or by unduly constraining them through site design.

Given that predominant future character of the area is for higher density residential use in terms of usage and building type, with the number of nearby developments containing high density residential it is considered that the proposal is in harmony with the emerging surrounding development. It should be noted that the siting of multi storey units adjacent to single storey dwellings is commonplace and actually provides part of the character of the area.

In this regard, it is considered to be visually compatible within this context, and responds to the varied elements that make up the character of the surrounding environment.

- Is the proposal's appearance in harmony with the building's around it and the character of the street?

To be considered compatible, a development should contain or at least respond to the essential elements that make up the character of the surrounding area.

In this area there is a wide variety of conflicting design, material and spatial typologies all competing and juxtaposed in a fairly random fashion. Interestingly it is this eclectic mix that provide some of the charm of the area. Similar mixes of scale can be found in Paddington, Surry Hills, Redfern and Ultimo.

There are numerous large residential flat buildings all around and the style of the proposal works from the current modernist trends, of simple shapes and easily read uses.

Conclusion:

The proposal is a considered response to the variety of the building styles found within the local area. It adds to the character of the area by introducing a simple building that talks to the new multi storey developments around it. In being a simple style, it acts a foil to the heritage buildings adjacent, and thus avoids being a poor copy of the earlier styles.

It is therefore considered that the proposal demonstrates consistency with the existing and future desired character of the locality.