

Statement of Environmental Effects

Submission to

NORTHERN BEACHES COUNCIL

ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE



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U R B A N P L A N N I N G

68 Edward Street Narraweena 2099

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1.0 INTRODUCTION

This document has been prepared in order to provide information and an assessment in respect of a development application (the 'development application') seeking consent for the carrying out of alterations and additions to the existing dwelling house (the 'proposal') on land known as 68 Edward Street Narrabeena 2099 (the 'Site').

Consideration has been given to the environmental merit of the proposal having due regard to the following relevantly applicable legislation, statutory planning instruments and subordinate documents:

- *Environmental Planning and Assessment Act 1979 ('EPAA');*
- *Environmental Planning and Assessment Regulation 2021 ('EPAR');*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ('SEPP (BASIX)');*
- *Warringah Local Environmental Plan 2011 ('WLEP');*
- *Warringah Development Control Plan 2011 ('WDCP').*

In my opinion, the development application succeeds on the merits and pursuant to the relevant legislation and is suitable for a grant of development consent by Council.

2.0 SITE LOCATION AND DESCRIPTION

2.1 Location

The surrounding area consists for the most part of a low-density residential neighbourhood (predominantly characterised by one and two storey dwelling houses). The area has been settled and used for residential development for a considerable period of time.

The locality provides for local schools, public open space and local businesses.

2.2 The Site

The Site is legally described as Lot 200 of Deposited Plan 843308. The site has a total area of 478.6m². The site is located on the western side of Edward Street which provides connection to Warringah Road traveling south.

The site is relatively flat, with a residential outlook. The space of the site is an obscure rectangle, with a section of the south-western aspect having a cut in the boundary.

The site currently provides for a two storey house with a carport.

3.0 DEVELOPMENT PROPOSAL

The proposed development involves the carrying out of alterations and additions to the existing dwelling which includes a ground floor alterations, first floor alterations, a new car port and a roof replacement.

Specifically, the works involve the following:

- Associated demolition works
- Proposed first floor deck extension
- Replacement of existing roof
- Ground floor alterations including:
 - New entrance to the dwelling
 - Internal ground floor works (Lounge room, windows, new staircase)
 - New carport
 - Roof extension
- First floor alterations including:
 - Internal rearrangement of living spaces (bedrooms, bathrooms, living areas and deck)
 - Associated windows
- New roof with skylights

This application is supported by the following documentation:

- Architectural set
- Boundary ID survey
- Statement of environmental effects
- BASIX Certificate
- Waste management plan
- Sediment control plan

For additional information relating to the proposal please refer to the submitted architectural plans.

4.0 STATUTORY PLANNING FRAMEWORK

4.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

As the proposal triggers the requirements of SEPP BASIX, A BASIX certificate is required to be submitted for the DA. A BASIX certificate less than 3 months old accompanies this application. For further information please refer to the architectural plans.

4.2 Warringah Local Environment Plan 2014

4.2.1 General

Warringah Local Environmental Plan 2011 (WLEP), being the relevantly applicable environmental planning instrument.

4.2.2 Aims

WLEP aims to make local environmental planning provisions for land within the former local government area of Warringah (and now part of the Northern Beaches local government area) in accordance with the relevant standard environmental planning instrument made under the EPAA.

4.2.3 Zoning and Permissibility

The site is zoned R2 Low Density Residential under WLEP. 'Dwelling house' is the relevantly applicable purpose. Development for the purpose of a dwelling house is permissible with consent on land within the R2 zone.

The proposal involves the carrying out of alterations and additions to the existing dwelling house. The purpose of the proposed development is a 'dwelling house' being permissible with consent.

In my view the proposal is permissible with development consent and is worthy of support from the consent authority.

4.2.4 Zone Objectives

The R2 zone objectives under WLEP are as follows:

- *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.*

- *To ensure that low density residential environments are characterized by landscaped settings that are in harmony with the natural environment of Warringah.*

In my opinion, the proposed development is consistent with such of the zone objectives as are of relevance to the proposed development.

The development will provide for the housing needs of the occupants of the existing dwelling house within an existing low density residential environment in a manner that will ensure that the existing low density residential environment continues to be characterized by landscaped settings that are in harmony with the natural environment.

The proposed works will assist the residences in meeting their housing needs within a low-density environment, in particular allowing functional private open space for the aging needs of the occupants. In my view the application is worthy of support.

4.2.5 Height of Buildings

Clause 4.3 of WLEP ('Height of buildings') is a principal development standard of WLEP. The objectives of clause 4.3 are as follows (refer clause 4.3(1)):

- (a) to ensure buildings are compatible with the height and scale of surrounding and nearby development,*
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*
- (c) to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,*
- (d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads, and community facilities,*

By virtue of WLEP Height of Buildings Map the maximum permissible height of a building on the site is 8.5 metres. The proposal changes the maximum height of the building proposing a height of 8.46m, complying with the control.

The proposed extensions do not unreasonably impact any view loss, privacy or create unreasonable overshadowing on adjoining neighbours as the structure is located at the rear of the site appropriately separated from surrounding receivers.

The proposed additional bulk at the front of the site does not impact the character of the area or create unnecessary visual impacts, whilst ensuring the streetscape that characterises the area is maintained. The proposed built form is consistent with the natural landscape in Edward Street.

The proposed development is consistent with the objectives of the height of buildings development standard. Please refer to the architectural drawings accompanying the development application for more specific detail.

4.2.6 Landslip Risk Land

The site is identified as 'Area A Slope <5' on the Landslip Risk Map, as such Clause 6.4 of WLEP applies. The objectives of this clause are as follows (refer clause 6.4(1)):

- (a) to avoid significant adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land,*
- (b) to ensure the impacts of storm water runoff from development on or near sloping land are minimised so as to not adversely affect the stability of the subject and surrounding land,*
- (c) to ensure subsurface flows are not adversely affected by development so as to not impact on the stability of existing or adjoining land.*

The proposal does not involve excavation and utilises the existing structural piers of the existing pergola to erect the proposed pergola as such no geotechnical report has been provided with the application.

The piers of the deck and roof extension will be placed on the existing concrete slab. Given the minor nature of the works, the works are expected to have minimal risk of landslip.

The proposal will not unreasonably impact on adjoining properties or will create unacceptable stormwater runoff issues.

The structures stormwater runoff will be diverted to connect to the existing stormwater system. A sediment control plan is provided to address runoff.

In my view the proposal is consistent with the objectives of the control. The Applicant would commit to a condition of consent requiring structural certification at construction certificate stage.

4.3 Warringah Development Control Plan 2011 (WDCP)

4.3.1 Objectives

Warringah Development Control Plan 2011 (WDCP) applies to development on the site.

By virtue of Part A.5 of WDCP, the overriding objective of WDCP is to create and maintain a high level of environmental quality throughout the former local government area of Warringah. Development should result in an increased level of local amenity and environmental sustainability. The other stated objectives of WDCP are as follows (refer Part A.5 of WDCP):

- *To ensure development responds to the characteristics of the site and the qualities of the surrounding neighborhood*
- *To ensure new development is a good neighbor, creates a unified landscape, contributes to the street, reinforces the importance of pedestrian areas, and creates an attractive design outcome*
- *To inspire design innovation for residential, commercial, and industrial development*
- *To provide a high level of access to and within development.*
- *To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained*
- *To achieve environmentally, economically, and socially sustainable development for the community of Warringah.*

The controls contained in WDCP, to the extent to which they are relevantly applicable to the proposed development, will now be considered and discussed.

4.3.2 Stormwater Management

The alterations and additions to the existing dwelling do not propose to alter the existing stormwater management system in any way. The current stormwater management system is adequate and will continue to effectively service the dwelling. For further information please refer to the architectural plans.

In my view the application is worthy of support. The applicant will accept any reasonable consent condition in respects of stormwater.

4.3.3 Excavation and Landslip Hazard

As mentioned in section 4.2.6 of this document, the proposal does not involve excavation and proposes to use the existing concrete slab for the proposed first floor extensions as such no Geotechnical Report has been provided. The Applicant would commit to any reasonable condition of consent regarding this aspect. In my view the application is consistent with the objectives of the control.

4.3.4 Erosion and Sediment Management

Appropriate erosion and sedimentation management measures are proposed to ensure that there is low impact in terms of runoff. A sediment control plan is provided with the application.

4.3.5 Waste Minimisation

Waste generation as a result of construction works will be minimised and disposed of at an appropriate waste facility. Additionally, waste will be recycled and re-used on site to the maximum extent possible.

Please refer to the waste management plan for further information.

4.3.6 Site Fencing and Security

Appropriate site protection will be undertaken during the construction stage of the development, so as to ensure public safety and the protection of the public domain.

4.3.7 Traffic, Access, and Safety

Control C2 Traffic, Access and Safety applies to the proposal. Under Appendix 1 Car Parking Requirements of the WDCP 2011 dwelling houses require 2 car parking spaces. The proposal does not change the existing parking provisions on site and provides for 1 onsite parking spaces.

The site is uniquely shaped and is a historical undersized allotment (old subdivision assumably), as such preventing two car spaces being provided on the site. If two spaces were provided on the site, it would result in lot of landscaped area on the site, which is a poor planning outcome.

The street provides sufficient on-street parking to handle, and addition parking needs and the locality is serviced by sufficient public transport.

As the existing site does not comply with the control, nor does the proposal unreasonable impact traffic demand in the area, the non-compliance with the control is acceptable on the merit in my view.

4.3.8 Landscaped Area

Control D1 of WDCP requires the total landscaped area on land zoned R2 Low Density Residential to be 40% of the site area. The proposal does not alter the existing landscaped area on the site. The works are proposed on an existing concrete slab. The sites existing landscaped area of 188.12m² (39.31%) remains unchanged.

The proposed alterations and additions are not extensive and are necessary in meeting the demands of the site owner for improved living conditions. In my view the application achieves the objectives of the control.

4.3.9 View Sharing

Control D7 of the WDCP applies to the subject site. The objectives of control D7 are as follows:

- *To allow for the reasonable sharing of views.*
- *To encourage innovative design solutions to improve the urban environment.*
- *To ensure existing canopy trees have priority over views.*

The proposed extension occurs in the front of the site above on top of existing hard surface area. The proposal allows for reasonable levels of view sharing for the surrounding neighbours and the proposed alterations will not block or interrupt any icon view elements. The proposed does not have an unreasonable impact on the viewing rights of surrounding dwellings for the following reasons:

- The extensions are located within the front setback, within the existing mass, keeping view lines consistent with the existing
- The proposed side setbacks are compliant with the controls
- The proposed roof, incorporates a pitch, ensuring view lines remain
- There aren't any significant view aspects in proximity to the site or surrounding receivers, that would be unreasonably impacted by the scheme
- No 68A Edward Street, being the closest receiver, will have its existing view corridor looking towards Edward Street maintained, therefore having a **negligible** view impact

In review of the main view loss receivers surrounding the works have a negligible to minor impact on view loss.

In my view the application is consistent with the Planning Principle established by the Land and Environment Court in *Tenacity Consulting v Warringah Council (2004) NSWLEC 140*

4.3.10 Acoustic and Visual Privacy

Control D8 of the WDCP applies to the proposal. The objectives of the control are:

- *To ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.*
- *To encourage innovative design solutions to improve the urban environment.*
- *To provide personal and property security for occupants and visitors.*

The proposal has been designed as such to ensure that both visual and aural privacy is maintained for both the occupants of the Site and surrounding neighbours. This has been achieved by:

- The proposal involves appropriate screening mechanisms and setbacks to ensure that privacy is maintained
- The Northern elevation provides for predominately high sill windows, with a full size window, being appropriately located away from sensitive areas at 70 Edward Street
- The southern elevation has high sill windows, to ensure light enters the site, whilst protecting privacy for surrounding receivers
- The east elevation has high sill windows proposed on the first floor extension to minimise overlooking to receivers at the rear (68A Edward Street)

In my view the proposal maintains visual and aural privacy.

4.3.11 Solar Access

The private open space of the dwelling will receive adequate solar access during the winter solstice. The neighbouring properties receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 (refer Part D6 of WDCP).

The proposed alterations and additions will comply the solar access control of the WDCP. Shadow diagrams accompanying the development application demonstrate that any additional shadowing consequence of the development will have a negligible impact on 68A, 66A & 66 Edward Street as the extent of the shadow cast is primarily on the shared access driveway into these dwellings.

Please refer to the shadow diagrams accompanying the development application for further details. In my view the proposal achieves the objectives of the control.

4.3.12 Roofs and Eaves

The proposed works is consistent with the existing roof line. The proposed roof on the terrace has a complementary roof pitch of 8°. In addition, the structures have eaves incorporated into the design.

The proposed alterations and additions incorporate eaves into the design which provide passive shading, consistent with the control of part D11 of WDCP.

4.3.13 Glare and Reflection

The proposed alterations and additions to the dwelling house incorporate appropriate materials into the design to minimise glare and reflection, in compliance with the controls of Part D12 of WDCP.

4.3.14 Private Open Space

Control D2 Private Open Space of the WDCP applies to the site. The objectives of the control state:

- *To ensure that all residential development is provided with functional, well located areas of private open space.*

- *To ensure that private open space is integrated with, and directly accessible from, the living area of dwellings.*
- *To minimise any adverse impact of private open space on adjoining buildings and their associated private open spaces.*
- *To ensure that private open space receives sufficient solar access and privacy.*

The proposal involves the repurposing of the built elements in the front setback to improve liveability of the dwelling. In particular this involves

The control requires 60m² of POS. The proposal provides for 126.2m². This complies with the control.

Due to the unique shape of the allotment and it being undersized, the existing POS on the site, is primarily located within the front setback and side (Southern side). The existing POS arrangement allows a functional and usable POS for occupants of the site.

The proposal does not result in a reduction of POS available to occupants of the site. Furthermore, the proposal provides for a first floor deck, providing an appropriate POS that's functional to residence, receiving appropriate solar access

The proposal has been designed keeping in mind of surrounding dwellings in close proximity to the open space. Privacy measures & overlooking measure are proposed to minimise impact of the private open space on the surrounding amenity.

Whilst the POS is not provided within the rear of the site, given the unique site constraints and the existing conditions any non-compliance with the control is acceptable in my view as the proposal meets the objectives of the control.

4.3.15 Setbacks and Building Line

Part B7 of WDCP provides for a minimum front building line of 6.5m or the established building line, whichever is the greater. Part B9 of the WDCP requires a rear setback of 6m and part B5 of the WDCP requires a 900mm setback.

Rear Setback:

The rear setback remains unchanged by the proposal is non-compliant as:

- Existing rear setback, ground floor setback 2.8m & first floor setback 5.79m

Side Setback:

The proposed side setback on the ground floor is compliant proposed as:

- Existing ground and first floor side setback (to the south) is 4.275m (unchanged)

- Existing ground floor setback (to the north) 900mm (no change)
- Existing first floor setback (to the north) is approx. 3.63m and proposed is 2.0mm

The proposal involves alterations to the built form, however the works proposed ensure compliance is achieved with the relevant side setbacks.

The ground floor side setbacks are acceptable as:

- The existing ground floor areas are proposed within the 900mm setback
- The carport is moved closer to the front setback, providing an improved setback from the existing with a 900mm setback from the northern boundary
- The site is undersized and uniquely shaped increasing difficulty to comply with the control, making compliance with the control difficult

Front setback:

A front setback of 6.5m is proposed, complying with the control. The front setback is acceptable as:

- The works are proposed over existing hardstand areas and are within the existing mass, as such bulk and scale impacts on the street are minimised
- The proposed mass is consistent with the surrounding character of the locality
- The front setback doesn't impact views or result in unreasonable overshadowing

4.3.16 Building Envelope

Part B3 of WDCP seeks to ensure that new development responds to, reinforces, and relates to the spatial characteristics of the existing natural environment with respect to streetscape, bulk, scale and form, and existing vegetation. The objectives of Part B3 are as follows:

To ensure that development does not become visually dominant by virtue of its height and bulk.

To ensure adequate light, solar access, and privacy by providing spatial separation between buildings.

To ensure that development responds to the topography of the site.

In review of the west elevation, the proposal appears to have an extremely minor breach of the control, resulting in a small section of the parapet intruding into the building envelope. (Figure 1)

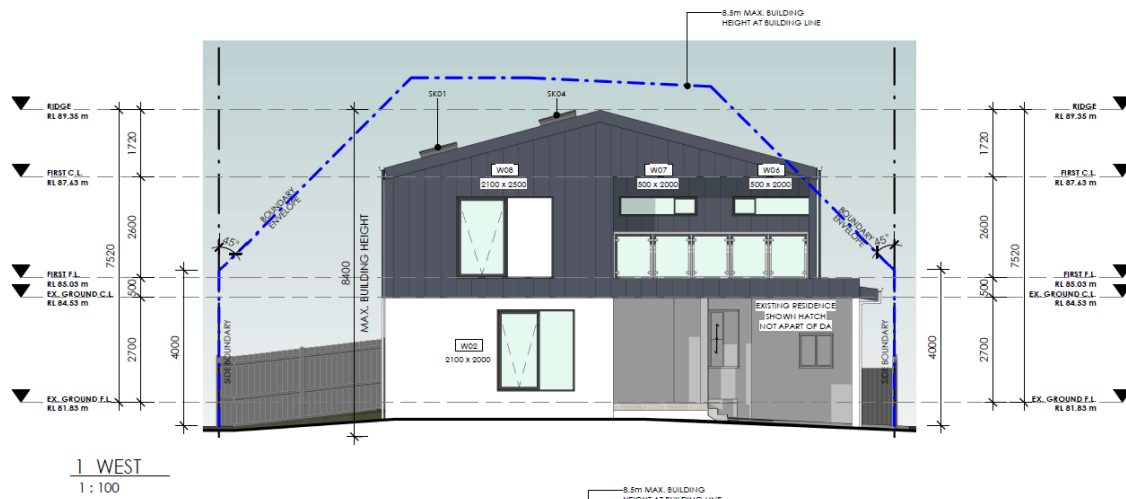


Figure 1: West Elevation (Source: Design2you)

The proposal involves a very minor breach of the control, however is acceptable on the merit as:

- The proposal does not result in unreasonable levels of view loss, privacy or overshadowing to adjoining neighbours.
- The resulting breach isn't perceivable from the street
- Eaves are permitted to encroach into the envelope per control B3 of the WDCP

In my opinion, the proposed development remains consistent with the desired outcomes of this control despite the minor breach to the building envelope control.

4.3.17 Building Bulk

It is considered that the building height and scale effectively respond to the unique site size and responds to surrounding dwellings through building articulation, colours, materials and treatment works to ensure visual bulk the alterations to the street are consistent with the streetscape.

4.3.18 Building Facades

There are no service pipes external to the proposed building facades which are visible to any public places (refer Part D21 of WDCP).

4.3.19 Colours and Materials

A colours and materials scheme accompanies the development application. The proposed colours and materials are sympathetic to the surrounding natural and built environment and are furthermore consistent with Part D10 of WDCP.

4.3.20 Conservation of Energy and Water

The proposal incorporates natural ventilation and daylight to its advantage, while ensuring the design allows the minimisation and conservation as regards energy use.

5.0 CONCLUSION

This document addresses the statutory planning regime applicable to the development application and demonstrates that the proposed development involving the carrying out of alterations and additions to the existing dwelling house on the site is permissible, generally compliant with the relevantly applicable development standards and other planning controls, generally consistent with the relevant guideline controls contained in WDCP, and appropriate in all the circumstances.

The heads of consideration contained in section 4.15 of the EPAA have been examined and considered to the extent to which they are relevantly applicable to the proposed development and, in my opinion, there are no matters which would prevent Council from granting consent to the proposed development subject to any appropriate and reasonable conditions of consent.

In my opinion, the development proposal merits support from the consent authority and a grant of conditional development consent.

Should you require to discuss the contents of this document please contact the undersigned.

Kind Regards

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