

STATEMENT OF ENVIRONMENTAL EFFECTS

24 KITCHENER STREET, BALGOWLAH

**CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO
CONVERT A DUAL OCCUPANCY INTO A SINGLE
DWELLING AND NEW SWIMMING POOL**

**PREPARED ON BEHALF OF
Mr & Mrs Scott**

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APPENDIX A – LOCALITY ANALYSIS

1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dual occupancy to create a single dwelling and new inground pool on Lot 104 in DP 6208 which is known as **No. 24 Kitchener Street, Balgowlah**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Manly Local Environmental Plan 2013.
- Manly Development Control Plan 2013.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by G.K Wilson & Associates, Plan No. 21801 and dated 6/12/18.
- Architectural Plans and dated 05.12.19.
- BASIX Certificate # A351705_02 and issued 13 December 2019.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

3. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 104 in DP 6208 which is known as No. 24 Kitchener Street, Balgowlah. The site is generally rectangular in shape with a splayed rear boundary. The site which is located on the northern side of Kitchener Street with an area of 735.6m² and a street frontage of 12.19m. The site has a maximum depth of 61.8m. The locality is depicted in the following map:



The property falls from the street frontage (RL28.01) towards the rear boundary (RL 18.14). The site currently comprises a two storey rendered brick building and detached outbuildings. The main building on site, currently comprises two attached dwellings. This application seeks to convert the existing attached dwellings into a single residential dwelling. A masonry fence with horizontal infill panels is currently erected along the street frontage. At grade parking is provided on a concrete driveway located adjacent to the eastern boundary of the site.

The site is depicted in the following photographs:



View of the site from Kitchener Street



Rear View of Dwelling and Detached Outbuilding

The existing surrounding development comprises a variety of single and two storey dwellings and attached dwellings on similar sized allotments. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

4. THE DEVELOPMENT PROPOSAL

This proposal seeks approval to convert the existing attached dwellings into a single residence with additions and alterations proposed to the existing structure. The proposed additions are to be constructed of cladding with the existing roofing being retained.

At ground floor level, internal alterations provide for a more open floor plan and to create a single dwelling. An addition to the rear provides for a more useable living area which opens onto a new deck with pergola over. The proposed additions maintain a setback of 2.99m to the eastern side boundary. The existing setback to the western boundary is retained. The only proposed alteration to the existing upper level incorporates the demolition of the existing external stair adjacent to the western boundary and removal of the door accessing this stair.

The proposal provides for a new swimming pool in the rear yard. The pool is setback 2.99m to the sites eastern boundary with ample setback to the rear boundary. It is also proposed to upgrade the existing shed adjacent to the proposed pool and the western boundary. This shed will be converted to a pool house with new sliding doors on the eastern elevation with awning above. A new deck is also to be constructed around the pool.

It is also proposed to demolish the existing carport and cubby house adjacent to the eastern boundary.

All collected stormwater will drain to the existing system which disperses on site and will be in accordance with the Council requirements.

The proposal will result in the following numerical indices:

Site Area:	735.6m²
Proposed FSR:	225m² or 0.30:1
Existing Total Open Space:	514m² or 70%
Proposed Total Open Space:	500m² or 68%
Existing Landscaped Area:	331.1m² or 45% of total open space
Proposed Landscaped Area:	323.9m² or 44% of total open space

5 ZONING & DEVELOPMENT CONTROLS

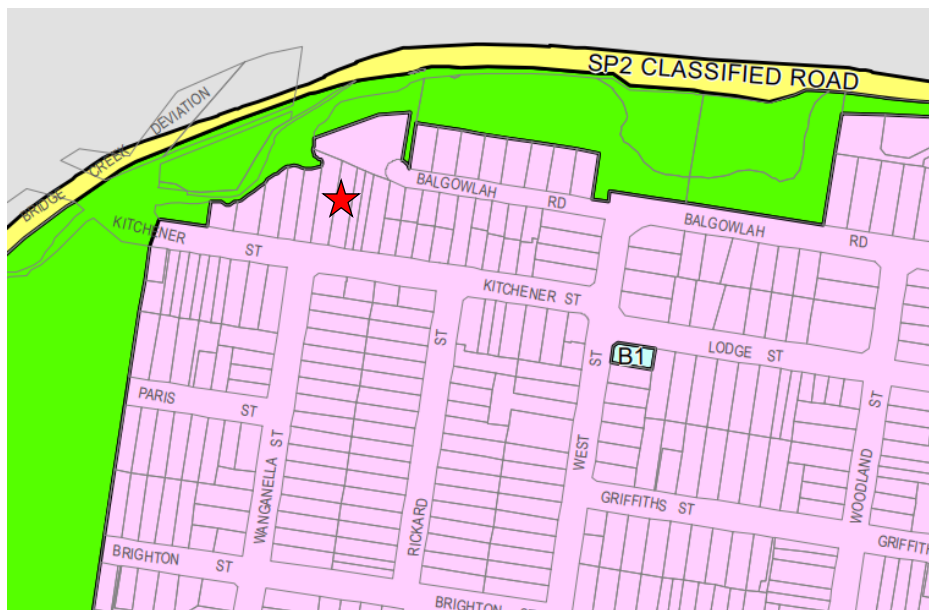
The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Manly Council.

5.1 Planning for Bushfire Protection 2006

The very rear north west corner of the site is partially identified as bushfire prone vegetation buffer. However, the proposed works are located within the footprint of the existing dwelling and maintain ample setback (approx. 35m) to the edge of the bushfire prone vegetation buffer.

It is not considered that any further information is required in this regard.

5.2 Manly Local Environmental 2013



Extract of Zoning Map

The subject site is zoned R1 General Residential. The objectives of the R1 Zone are as follows:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

It is considered that the proposed development achieves these objectives by:

- Providing minor additions/alterations to the existing development to create a single dwelling which is permissible in this zone.
- Retaining the existing amenity to the surrounding residences.
- Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.

Dwelling alterations and additions are permissible use in the R1 General Density Residential zone with the consent of Council.

The following numerical standards are applicable to the proposed development:

Clause	Development Standard	Proposal	Compliance
Clause 4.3 Height of Buildings	8.5m	Refer to plans	Yes Proposed works comply.
Clause 4.4 Floor Space Ratio	0.5:1	225m ² or 0.305:1	Yes

The following clauses also apply:

Clause 6.5 Terrestrial Biodiversity



Extract of Terrestrial Biodiversity Map

The site is identified on the Terrestrial Biodiversity Map. However, the proposed works do not impact on any trees or significant vegetation. The additions to the dwelling are over an existing paved area and the pool is located on an existing lawn area. No further information is required in this regard.

There are no other specific clauses that specifically relate to the proposed development.

4.3 Manly Residential Development Control Plan 2013

The Manly DCP 2013 applies to all land where the LEP applies. Therefore, the DCP applies to the subject development.

Part 3

Part 3 provides general principles applying to all development and Part 4 outlines development controls for specific forms of development including residential. The relevant provisions of **Part 3** are summarised below:

Clause 3.1.1 – Streetscape (Residential Areas)

The site is located on the low side of Kitchener Street. The proposed additions are relatively minor and provide for some small increase in floor area at the rear of the site to improve room configuration and convert the existing duplex into a single residence. There are no alterations to the existing streetscape view and the additions to the rear maintain the existing side boundary setbacks.

Clause 3.3 - Landscaping

The proposal does not require the removal of any vegetation. No further information is required in this regard.

Clause 3.4 - Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

The objectives of the clause are noted as:

- | | |
|---------------------|---|
| <i>Objective 1)</i> | <i>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.</i> |
| <i>Objective 2)</i> | <i>To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.</i> |

It is suggested that the works will achieve these objectives as:

- The proposal provides for minor additions to the existing ground floor level at the rear.
- The proposal maintains the side boundary setbacks provided to the existing dwelling.
- The materials and finishes are consistent with the existing finishes.
- The proposed additions do not reduce the level of privacy currently enjoyed by the adjoining properties. In this regard the proposal maintains ample boundary setback to ensure separation and as such will not result in unreasonable loss of privacy. Further the proposal provides for all high use living areas on the ground level, with only bedrooms and bathrooms on the upper level.
- The proposed additions will not obstruct any existing views given the location of the existing building.

Clause 3.5 - Sustainability

A BASIX Certificate has been submitted with the application.

Clause 3.7 - Stormwater Management

All collected stormwater will continue to be connected to the existing stormwater system accordance with Council controls.

Part 4

The following numerical provisions of **Part 4** are considered relevant to the proposal:

Clause/ Design Element	DCP Requirement	Compliance/Comments
Residential Density & Subdivision	Density Area D4 – 1 dwelling per 300m ²	Yes The site has an area of 735.6m ² and results in a single dwelling on a single parcel of land.
Floor Space Ratio	Refer to LEP 0.5:1	Yes
Wall Height	Height – 6.5m	The proposal does not alter the existing maximum wall height. The proposed additions are single storey only. Further, the proposal does not have any detrimental impact in regards to privacy, solar access and view sharing.
Number of Storeys	Two Storeys	Yes Two storey development retained.
Roof Height	2.5m above wall height	No change to existing roof.
Parapet Height: 600mm above wall height.	600mm above wall height	N/A
Maximum Roof Pitch	35°	Yes No change to existing roof.

Clause/ Design Element	DCP Requirement	Compliance/Comments
Building Setbacks	<p>Front Setback – Min. 6.0 metres or consistent with neighbouring.</p> <p>Secondary setback – same as side boundary setback</p> <p>Side Setback – 1/3 of the height of wall.</p>	<p>All works are located behind the existing front building line.</p> <p>N/A</p> <p>The proposed additions are at ground floor only and provide for setbacks to match the existing dwelling. The setbacks as proposed are considered appropriate in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The additions do not encroach the existing setback. • The additions on this element of the proposal are very minor and provide for additional floor area and a deck at ground floor level. • The proposed terrace along the rear elevation of the dwelling provides for privacy screens along both side elevations to prevent overlooking. • The proposal incorporates the removal of the external stair adjacent to the western boundary thereby improving amenity and privacy to the adjoining western property. • The proposed additions are at ground floor level and will not result in additional overshadowing.

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Walls without windows may be constructed to one side boundary only, providing the objectives of this part can be met and the applicant can demonstrate no disadvantage to the adjacent allotment through increased overshadowing, or loss of view and no impediment to property maintenance.</p> <p>Rear Setback – Minimum 8.0 metres</p>	<p>Not Applicable</p> <p>Yes Ample setback is provided to the rear boundary.</p>
Landscaping/Open Space	<p>Open Space Area 3: Minimum total open space: 55% of site area.</p> <p>Minimum soft open space as 35% of total open space</p> <p>Minimum number of endemic trees: 4</p> <p>Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m².</p>	<p>Yes The proposal provides for 500m² or 68% of the site for total open space and 323.9m² or 44% of landscaped area.</p> <p>The proposal does not require the removal of any protected trees.</p> <p>Yes The proposal retains ample private open space in the rear yard. The new deck/terrace area is directly adjacent to the internal living areas and will improve connection to and useability of private open space.</p>
Parking and Access	Minimum 2 Spaces per Dwelling.	<p>Yes The proposal retains the existing driveway adjacent to the eastern boundary which can accommodate two cars (at grade in tandem) behind the front building line.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Garages/carports shall be sited so as to not dominate the street frontage through the use of appropriate materials.</p> <p>Carports forward of the building line shall be open on all sides. Maximum width of structures forward of the building line is 6.2m or 50% of site width whichever is the greater.</p>	
First Floor Additions	<p>Additions may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues.</p> <p>Must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences</p>	Not Applicable – no additions to first floor.
Swimming Pools	<p>Not to be elevated more than 1m above ground level. Pools >1m above ground level may be considered where:</p> <p>i) would not detract from the amenity or character of the neighbourhood; and</p>	<p>The very northern end of the pool is 1.005m above ground level. However, this is considered appropriate in this instance for the following reasons:</p> <ul style="list-style-type: none"> The pool coping is setback 2.929m to the eastern side boundary. This is ample setback to provide appropriate visual separation and allow for landscaping.

Clause/ Design Element	DCP Requirement	Compliance/Comments
	ii) is a minimum distance from any side boundary equivalent to the height of the swimming pools and/or spa and their curtilage and/or concourse at any point above existing ground level.	<ul style="list-style-type: none"> • The pool is located in the rear yard and is not visible from the street or public domain. • The majority of the pool does not exceed 1.0m above ground level.
Fences	Maximum height 1.0m for solid Maximum height 1.5m where at least 30% is transparent.	Not Applicable – Existing fence retained

There are no other provisions of the Manly DCP that apply to the proposed development.

6. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

There are no other environmental planning instruments applying to the site.

The Likely Impacts of the Development

It is considered that the development will provide for additions to an existing development to create a single dwelling without detrimentally impacting on the character of the area. The proposal does not result in the removal of any vegetation protected by Council's Tree Preservation Order. The design of the proposal is such that they do not result in any unreasonable loss of privacy.

The Suitability of the Site for the Development

The subject site is zoned R1 General Residential and the construction of alterations and additions to create a single dwelling house is permissible with the consent of Council. The resultant development is of a bulk and scale that is consistent with existing surrounding developments. The proposal does not result in the removal of any significant vegetation.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide for an upgrade of the existing building an outdoor area and is consistent with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain.

7. CONCLUSION

This application seeks approval for the construction of alterations and additions to convert an existing duplex to create a single dwelling house. As demonstrated in this report the proposal is consistent with the aims and objectives of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. The proposal does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed of alterations/additions to create a single dwelling house upon land at **No. 24 Kitchener Street, Balgowlah** is worthy of the consent of Council.

Natalie Nolan
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December 2019

APPENDIX A – LOCALITY ANALYSIS

The Kitchener Street locality is characterised by a mixture of single and two storey dwellings and attached dwelling of varied architectural design.

The roof form in this area is a predominantly traditional pitched roof forms of both metal and tiled materials. Dwellings are constructed of a mixture of rendered and face brickwork and some cladding.

The proposed development has been designed to complement the existing locality. The proposed works are located at the rear of the site and are not visible from the street. The design of the proposal in response to the locality and the site's constraints and opportunities and this is demonstrated in the Statement of Environmental Effects.