

WOLSKI . COPPIN

A R C H I T E C T U R E

STATEMENT OF MODIFICATION & ENVIRONMENTAL EFFECTS

Modification of development consent
Development Application No. 2022/0509

**ALTERATIONS AND ADDITIONS
25 Montpelier Place Manly**

PREPARED FOR:
Prue and Julian Duffy

JUNE 2023

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1.0 INTRODUCTION

This report has been prepared in support of an application to Northern Beaches Council, seeking a modification of development consent in accordance with Section 4.55(1A) of the Environmental Planning and Assessment Act 1979.

The relevant sections of the Act for this application are included below:

Division 4.9 Post-consent provisions

Modification of consents - generally

Section 4.56 of the act provides that:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and
- (b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and
- (c) it has notified the application in accordance with:
 - (i) the regulations, if the regulations so require, or
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
- (d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.

Subsections (1) and (1A) do not apply to such a modification.

The development application was approved by Northern Beaches Council on 20th October 2022.

2.0 PROPOSED MODIFICATIONS

The proposed S4.55(1A) modifications include:

- Retaining existing ground level bedrooms and deletion of new proposed bedroom entry door on ground level.
- Modifications to the bathroom and guest ensuite on ground level with laundry to remain as existing.
- Retention of existing level master bedroom
- Modifications to level 1 bathroom
- New linen cupboard on level 1 with laundry chute under lowest shelf
- Minor modifications to door and cupboard location in bedroom 3 on level 1

- New skylight over staircase and existing master bedroom
- Approved study enclosure deleted, raised balcony platform retained

The approved site cover, gross floor area and building envelope are slightly reduced, with the overall building form and appearance remaining largely the same.

MODIFICATION TO DOCUMENTS:

LOWER GROUND FLOOR (\$4.55(1A) 01)

- No changes

GROUND FLOOR (\$4.55(1A) 02)

- WC layout, window, door and door location modified
- Bathroom layout modified
- Delete approved door
- Delete approved window
- Modify existing door to laundry
- Remove existing walls
- Replace existing eastern living room enclosure with new door and window assembly
- Replace existing louvres with sliding folding louvre panels on eastern living room window opening
- Retain existing bedrooms and laundry

LEVEL 1 PLAN (\$4.55(1A) 03)

- Approved bathroom layout modified
- Install new linen cupboard with laundry chute under lowest shelf
- Retain existing master bedroom and ensuite
- Minor modifications to door and wardrobe location in bedroom 3
- Delete approved wall to stair
- Install new solid handrail to stair
- Approved study enclosure deleted, raised balcony platform retained
- Delete approved raised platform walls
- Remove existing window and install new door to raised balcony

ROOF PLAN (\$4.55(1A) 04)

- Install new skylight above staircase
- Install new skylight above master bedroom

ELEVATIONS 01 - NORTH & SOUTH ELEVATION (\$4.55(1A) 05)

NORTH:

- New doors to replace existing window
- Approved study enclosure deleted, raised balcony platform retained
- New glass balustrade to manufacturers detail

SOUTH:

- Approved window extension deleted

ELEVATIONS 02 - EAST, WEST ELEVATION (S4.55(1A) 06)**WEST:**

- Modify WC window
- Deleted approved door and windows
- Modify existing laundry door
- Retain existing window to ground level bedroom
- Approved study enclosure deleted, raised balcony platform retained

EAST:

- Replace existing eastern living room window with new door assembly
- Replace existing louvres with sliding folding louvre panels on eastern living room window opening
- Approved study enclosure deleted, raised balcony platform retained

SECTIONS (S4.55(1A) 07)**SECTION AA:**

- Existing ground level bedroom window and laundry to be retained
- Modify ground level approved bathroom and WC
- New solid handrail to stair on level 1
- New linen cupboard on level 1 with laundry chute under lowest shelf
- Approved level 1 bathroom to be modified

SECTION BB:

- Retain existing master bedroom and WIR
- Retain existing master bedroom ensuite

3.0 EVALUATION AGAINST PLANNING CONTROLS

The proposed modifications have been considered against the following relevant controls under Section 4.15 Evaluation, in accordance with Section 4.55(1A) of the Environmental Planning & Assessment Act 1979.

3.1 MANLY LEP 2013

The proposed modifications remain consistent with the relevant objectives of the Manly LEP, as outlined:

4.3 - Height of buildings

All new works are located internally within the approved building envelope thus does not impact the LEP 8.5m height limit.

4.4 – Floor space ratio

All new works are located within the approved building envelope except for the deleted study enclosure and thus there is a small reduction to the approved GFA and consequently the floor space ratio.

3.2 MANLY DCP 2013

The proposed modifications remain consistent with the relevant objectives of the Manly DCP, as outlined:

4.1 – RESIDENTIAL DEVELOPMENT CONTROLS

4.1.2 Wall Heights

All changes confined within approved building envelope or a slight street side reduction thus not impacted by the Section 4.55(1A) proposed modifications.

4.1.4.1 Street Setbacks

All changes confined within approved building envelope or a slight street side reduction thus not impacted by the Section 4.55(1A) proposed modifications.

4.1.4.2 Side Boundary Setbacks

All changes confined within approved building envelope or a slight street side reduction thus not impacted by the Section 4.55(1A) proposed modifications.

4.1.4.4 Front Boundary Setbacks

All changes confined within approved building envelope or a slight street side reduction thus not impacted by the Section 4.55(1A) proposed modifications.

4.1.5 Open Space and Landscaping

All changes confined within approved building envelope or a slight street side reduction thus not impacted by the Section 4.55(1A) proposed modifications.

3.3 IMPACT ON LOCALE

The proposed additions will have minimal impact on adjoining neighbours.

Privacy

Modifications made to bathroom windows and doors will have no impact on neighbouring privacy due to the adjacent concrete block wall.

Replacement of louvres with sliding folding panels on eastern window opening will not impact privacy as window is screened and does not overlook any neighbouring living spaces.

View loss

All changes confined within approved building envelope or a slight street side reduction thus the proposed modifications will result in no view loss for adjoining residences.

Solar Access

All changes confined within approved building envelope or a slight street side reduction thus the proposed modifications will have no impact on neighbouring solar access.

Streetscape

All changes confined within approved building envelope or a slight street side reduction thus the proposed modifications will have no impact on the streetscape.

4.0 CONCLUSION

All proposed modifications are internal within the approved building envelope or a slight street side reduction and thus these proposed modifications to the previously approved development application remain compatible with the neighborhood, and are considered acceptable and appropriate to the locality. The internal modifications mainly consist of the retention of existing rooms and internal walls and all additional modifications will improve the amenity of the residents and will have no impact on the surrounding locale.