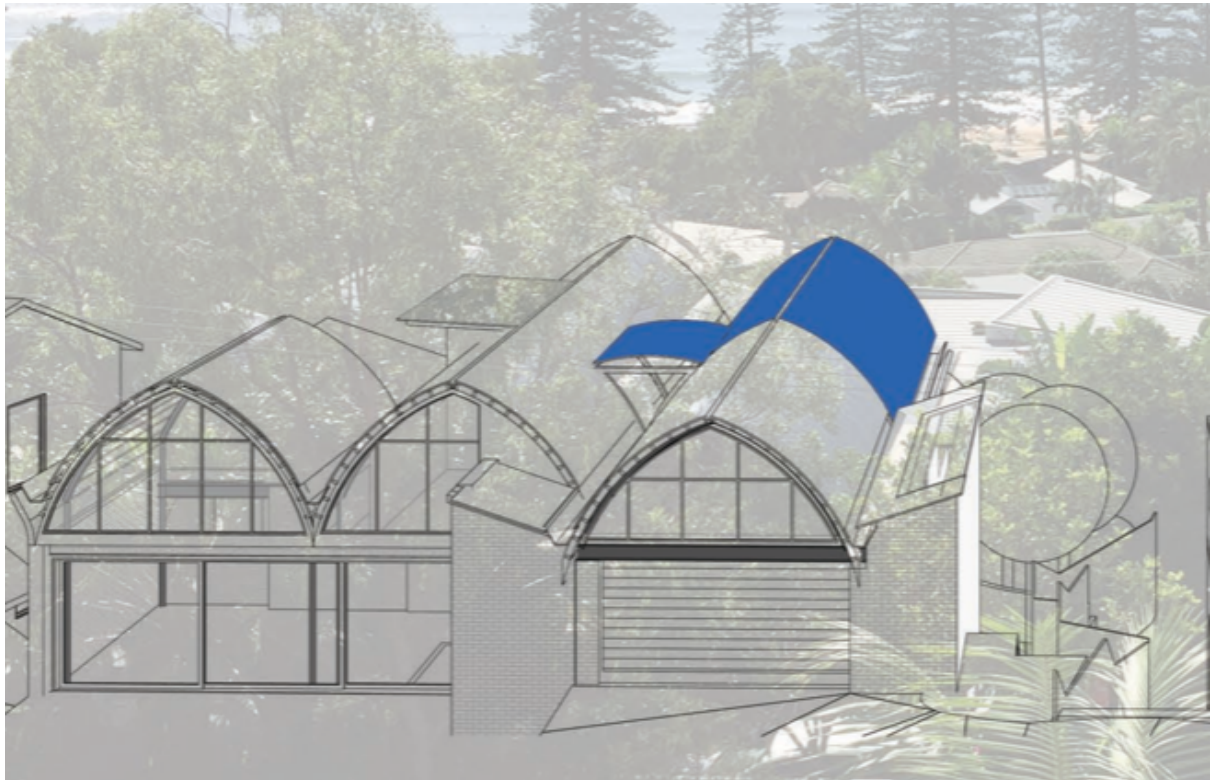




STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING HOUSE TO CHANGE THE
EXISTING SKILLION ROOF FORM AT THE REAR OF THE BUILDING TO MATCH EXISTING VAULTED
ROOF FORMS**

AT 20 PALM BEACH ROAD, PALM BEACH



**Prepared for
Mr Paul Meehan**

**Job No. 19123
March 2020**

Urban and Regional Planning, Environmental Planning and Statutory Planning
Registered Office: Lyndhurst, Suite 19, 303 Pacific Highway, Lindfield N.S.W 2070
Telephone: (02) 9416 9111 Facsimile: (02) 9416 9799
email: admin@inghamplanning.com.au
A.C.N. 106 713 768

Contents

| | | |
|-----|--|----|
| 1. | INTRODUCTION | 3 |
| 2. | THE SITE | 5 |
| 3. | SURROUNDING ENVIRONMENT | 9 |
| 4. | THE PROPOSAL..... | 10 |
| 4.1 | Design Philosophy | 10 |
| 4.2 | Summary of the proposal..... | 10 |
| 5. | ZONING AND DEVELOPMENT CONTROLS | 12 |
| 5.1 | Zoning | 12 |
| 5.2 | Development Controls | 12 |
| 6. | EVALUATION UNDER SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) ACT, 1979 | 13 |
| 6.1 | Environmental planning instruments | 13 |
| 6.2 | Draft environmental planning instruments..... | 14 |
| 6.3 | Development control plans..... | 14 |
| 6.4 | Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F 14 | |
| 6.5 | Any matter prescribed by the regulations that apply to the land to which the development relates | 14 |
| 6.6 | The likely impacts of that development..... | 14 |
| 6.7 | The suitability of the site for the development..... | 15 |
| 6.8 | Submission made in accordance with this Act or the regulations | 15 |
| 6.9 | The public interest..... | 15 |
| 7. | CONCLUSION | 16 |

APPENDIX A – CLAUSE 4.6 VARIATION

APPENDIX B – DCP TABLE

1. INTRODUCTION

This is a Statement of Environmental Effects (SEE) relating to a development application (DA) for alterations and additions to the existing dwelling. The proposal largely involves changing the existing skillion roof form at the rear of the dwelling (south eastern corner) to a vaulted roof form to match the existing roof design. The proposal will allow for additional habitable space within the attic space which will be created. There is already attic space within the dwelling's roof space. The open space and layout of the site otherwise remains identical to the existing as the proposed new roof form sits over the existing footprint of the dwelling. Some interior modifications will be made to the dwelling.

The proposed modifications to the dwelling have been designed by the same architect who designed the original dwelling and therefore the architectural integrity of the building will be maintained and enhanced by the proposed works. Materials and finishes will match the existing dwelling.

Due to the change of roof shape over the existing footprint of the building, there is a small encroachment over the maximum height control. This is simply because the existing building platform has already been established over the sloping site and the proposed roof has been designed to match the other vaulted roof form to ensure that the architectural integrity of the built form is maintained. As a consequence, the apex of the roof will exceed the height control. There are no significant environmental impacts as a result of exceeding this control, as outlined within this documentation. In addition, immediate neighbours were consulted prior to lodgement of the application and no issues of concern were raised.

The SEE contains the following sections:

- **Section 2** examines the characteristics of the subject property;
- **Section 3** details the nature of the surrounding locality;
- **Section 4** provides a detailed description of the proposal;
- **Section 5** discusses the zoning and development controls relating to the land; and
- **Section 6** provides an assessment of the proposal in relation to the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979.

The development application includes the following:

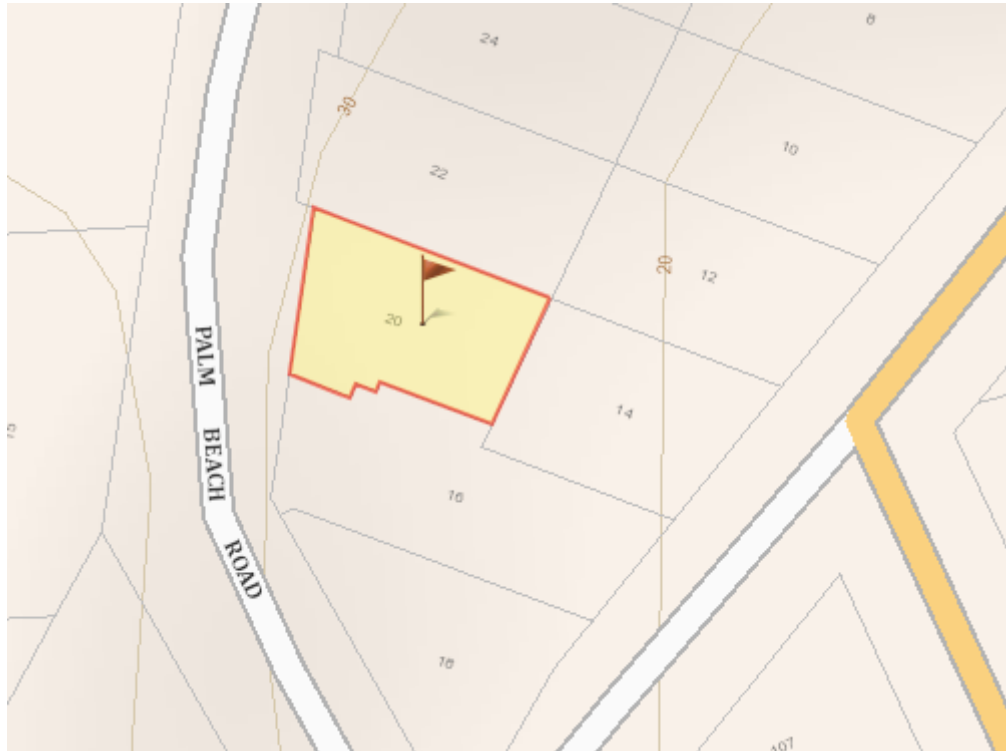
Completed DA form and checklist with owner's consent
Set of Architectural Plans prepared by Michael Robillard & Associates all dated March 2020, as follows=

| | |
|--------------------|----------|
| Cover Page | 403 WD00 |
| Site Plan | 428 WD01 |
| Site Analysis Plan | 428WD090 |
| Bedroom Floor | 428 WD02 |
| Living Floor | 428WD03 |

| | |
|--------------------------|----------|
| Attic Floor | 428WD04 |
| Sections | 428WD011 |
| ElevationsNth | 428WD013 |
| Elevations East | 428 WD14 |
| South Boundary Elevation | 428 WD15 |
| Demolition & Excavation | 428WD91 |
| Erosion & Sediment | 428WD92 |
| Stormwater and Drainage | 428WD93 |
| Landscape Plan | 428WD94 |
| Notification Plan | |
| FSR Plan | |
| Shadow Diagrams | |

2. THE SITE

The site is known as 20 Palm Beach Road, Palm Beach and is legally described as Lot A DP 1342891 (see **Figure 1 – Location** and **Figure 2 – Aerial View of Site**).



Source – Six Maps

Figure 1 - Location

The land is irregular in shape with frontage to Palm Beach Road of 20.7 metres and an overall depth of 31.5 metres. The rear boundary adjoins a site to the east which has a frontage to Ocean Road (No. 14 Ocean Road). The site sits on the hill overlooking Palm Beach, however it is not visible from the foreshore given the steep topography, built development and tree coverage on the eastern side of the site. The area of the site is approximately 542.8sqm with a slope of 22.8% which falls from west to east.

The existing dwelling is a part two and part three storey brick dwelling with a distinctive curved (vaulted) roof form and terracotta red aluminium framed openings. The original dwelling was originally approved in 2008 and subsequently modified in 2010. The existing vaulted shaped roof currently accommodates habitable area within an attic space. A double garage is incorporated into the front of the dwelling.

Detailing of the garden areas includes the use of feature decorative screen panels which is also incorporated into the entry gates, open metal staircases and landings to reveal the under croft vegetation and purpose built concrete formed retaining walls. A small in

ground pool and spa was recently approved under development consent 2019/0827 5.09.2019.

See Figures 3, 4, 5 and 6 below



Source – NB Council Report Sept 2019

Figure 2 – Aerial photo of site



Figure 3 – Site viewed from Palm Beach Road. The roof line is a distinctive vaulted shape which add character to this neighbourhood.



Figure 4 – On the site looking to northern boundary and existing screen planting which will be retained



Figure 5- Looking back to dwelling. The proposed modified roof is on the left of the photo



**Figure 6 – looking towards the well screened southern boundary.
All plantings are to be retained. All proposed works are within the existing footprint of the dwelling.**



Figure 7 – View from Ocean Avenue looking back towards the site. Existing buildings and vegetation obscure any expansive view of the site from this angle

Source: All photos Ingham Planning

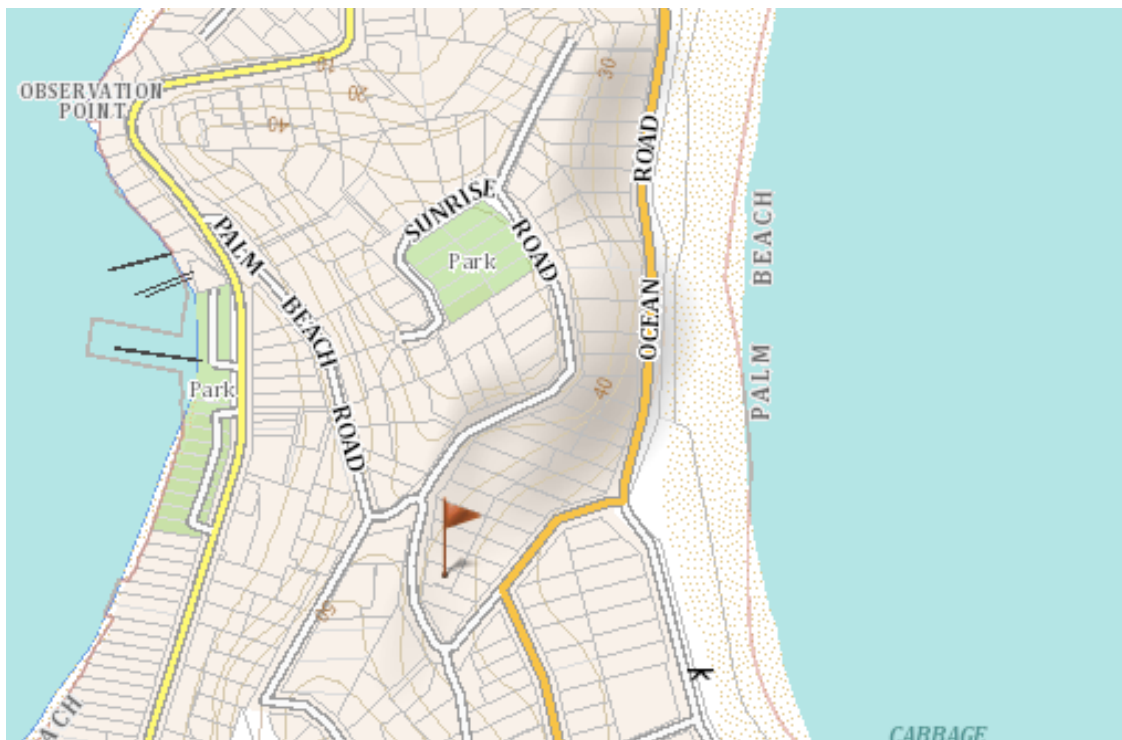
3

Surrounding Environment

3. SURROUNDING ENVIRONMENT

The site is typical of the locality where there is a combination of recent and older style 2 to 3 storey detached dwellings. Dwellings on the high side of the road are elevated well above the road due to the topography. Generally landscaping is a combination of indigenous and exotic species with the canopies of some of the taller trees, including Pine trees, Palm Trees and Paperbarks being dominant in the skyline and on the hillsides.

The site is located between Palm Beach Road and the Palm Beach foreshore. As shown in photograph 7, the site is not highly visible from the east (from either Ocean Road or the beach or foreshore) due to the slope of the land and the built development and vegetation which are located on the eastern side of the site. The angle of view from the east looking towards the site does not allow a full view of the site and or dwelling.



Source – Six Maps

Figure 5 - Location

4. THE PROPOSAL

4.1 Design Philosophy

The architect has considered the constraints and opportunities of the site as detailed on the Site Analysis drawing. The proposed design has come about after taking into consideration the following constraints and opportunities:

- The desire of the clients to retain all open space surrounding the dwelling for passive recreation and to allow for the retention of all trees;
- The desire to create some additional floorspace within an attic level by changing the existing skillion shaped roof in the south eastern corner of the dwelling to a vaulted roof form which is already a feature of the architecture. In fact, the vaulted roof shape is already evident at the front of the site and will be carried through to the rear in place of the skillion roof which sits over the south eastern corner of the building;
- The necessity to complement the existing roof form given its unique form and contribution to the streetscape;
- The necessity to consider the environmental impact of any increase in the height of the dwelling;
- Awareness that any increase in the height of the new roof form needed to retain all view corridors over the site from the dwellings on the opposite side of Palm Beach Road and that no adverse shadows would result.
- In regard to environmental impact and in a pre DA demonstration of good faith, the architect has approached the neighbour opposite the site and the neighbour to the north prior to plans being completed to ascertain potential impacts, and to design accordingly should there be areas of concern. The neighbour on the high side of Palm Beach Road has advised that no objection is raised and that the proposed roof form does not impact his view of or view line towards the beach or water. An immediate neighbour was also contacted in regard to potential shadows. We understand that feedback was provided and a window which is affected by increased shadow is a utility room (laundry/WC). We also understand however that all neighbours will be notified of the DA as part of the DA process.
- The proposed works are sympathetic to the character of the existing dwelling, the site and the immediate locality.

4.2 Summary of the proposal

The proposal involves the following:

- The demolition of the skillion roof form which sits over the south eastern corner of the building;
- The replacement of this section of the roof with a vaulted roof form which will be carried through from the front of the dwelling at the same ridge height. It will complement the existing roof of the building;
- A small area of new roof within the centre of the building

- The creation of habitable floor area within the roof area due to increased head heights within the roof space;
- Some changes to openings
- Internal modifications to the dwelling;
- Retention of all perimeter plantings, and
- Retention of all surrounding significant vegetation.

The proposed new roof areas are shown on the image below (**Figure 8**):



Figure 8 – showing the area of new roof proposed.

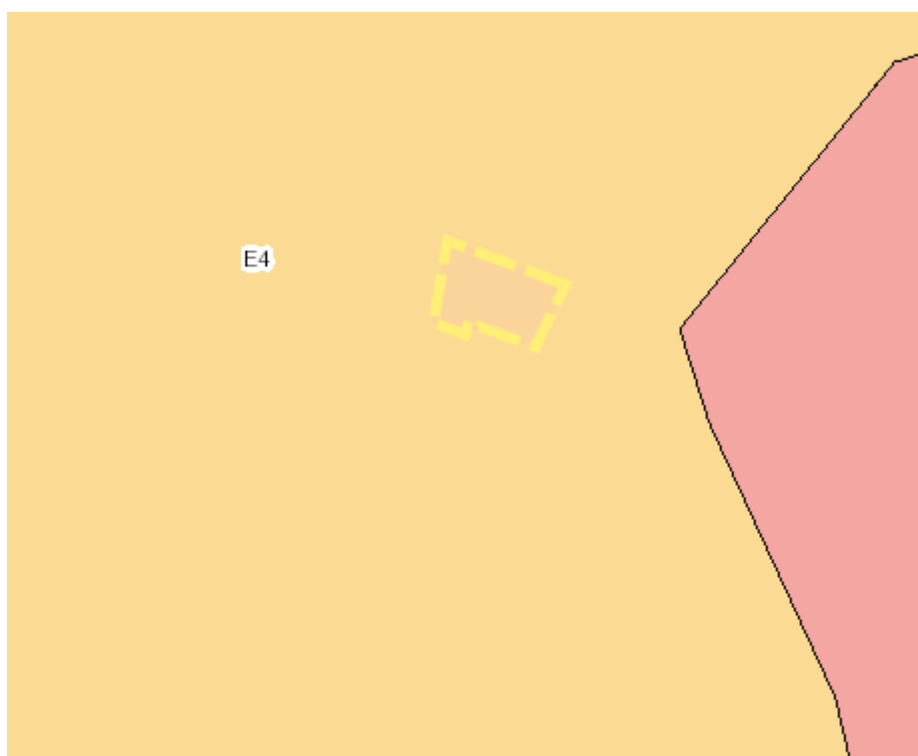
5

Zoning and Development Controls

5. ZONING AND DEVELOPMENT CONTROLS

5.1 Zoning

Pursuant to the provisions of Pittwater Local Environmental Plan 2014 ('PLEP2014') the subject site is zoned E4 Environmental Living (see **Figure 9**). Dwelling houses are permitted with consent in the E4 zone.



Source – NSW Planning Portal

Figure 9 – extract from zoning map of PLEP2014

5.2 Development Controls

The following planning documents are relevant to the assessment of the subject DA:

- State Environmental Planning Policy No. 55 – Remediation of Land SEPP 55
- State Environmental Planning Policy (BASIX) 2004;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- SEPP Infrastructure (2007)
- Pittwater Local Environmental Plan 2014;
- Pittwater 21 Development Control Plan.

6. EVALUATION UNDER SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) ACT, 1979

6.1 Environmental planning instruments

6.1.1 State Environmental Planning Policy No. 55 – Remediation of Land SEPP 55

Remediation of Land and in particular Clause 7(1)(a) suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated. Given the history of residential use of the land, the site is suitable for the proposed works.

6.1.2 State Environmental Planning Policy (BASIX) 2004

A BASIX certificate is provided as part of the application.

6.13 SEPP Infrastructure (2007)

Council must consider clause 45 of the SEPP Infrastructure prior to determination and notify Ausgrid accordingly.

6.14 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The SEPP commenced on 25 August 2017 and replaced Clause 5.9 of Pittwater Local Environmental Plan 2014. The aims of the SEPP are detailed in Clause 3 and note: The aims of this Policy are: (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. In this instance, the proposal will not see any loss of any substantial vegetation and is therefore considered to be consistent with the aims of the SEPP.

6.15 State Environmental Planning Policy (Coastal Management) 2018

The site is not subject to State Environmental Planning Policy (Coastal Management) 2018 (SEPP Coastal Management).

6.16 Pittwater Local Environmental Plan 2014

The proposed development is permissible in the E4 zone. The proposal complies with the aims of the LEP2014 and the specific objectives of the E4 zone. In addition to the zoning discussed above the following clauses of the LEP are relevant to this application.

Clause 4.3 Height of Buildings – The maximum height of a building on the site is 8.5 metres. The apex of the proposed roof form will exceed the maximum height at a height of 10 metres and a clause 4.6 variation to the height standard has been prepared and is found at **Appendix A**. We note that the design of the roof will match the shape and height of the other vaulted roof forms on the dwelling

Clause 7.1 Acid Sulfate Soils – the site is identified as containing Class 5 acid sulfate soils. No excavation is proposed to accommodate the proposal.

Clause 7.2 Earthworks – No earthworks are required to facilitate the works.

Clause 7.7 -Geotechnical Hazards – The site is identified on the Geotechnical Hazard Map as Geotechnical Hazard H1. There are no ground works involved. A geotechnical assessment was carried out as part of the approved DA in 2019 for the small pool and spa and found that the site is suitable for the development. A copy of that report formed part of the DA to Council.

6.2 Draft environmental planning instruments

No draft instruments are applicable to the proposal.

6.3 Development control plans

6.3.1 Pittwater 21 DCP

The relevant provisions of this DCP are considered in a table which is provided in Appendix B. The main Built Form Controls for development are outlined below:

| Built Form Control | Requirement | Proposed | Complies |
|---------------------|-------------|--------------------|--------------------|
| Front building line | 6.5m | No change proposed | N/A |
| Rear building line | 6.5m | No change proposed | N/A |
| Side building line | 2.5m/1m | No change proposed | N/A |
| Building Envelope | 3.5m/45 deg | Modified roof form | Minor encroachment |
| Landscaped Area | 60% | No change proposed | N/A |

Northern Beaches Section 7.12 Contributions Plan 2019

As the cost of the development is greater than the threshold of \$100,001, the proposal is subject to a contribution.

6.4 Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

There are no planning agreements or draft planning agreements that are of relevance to the proposal.

6.5 Any matter prescribed by the regulations that apply to the land to which the development relates

There are no regulations of specific relevance to the proposal.

6.6 The likely impacts of that development

The potential impacts of the proposal have been generally addressed in **Section 6.1** and **Section 6.3** of this report.

Height

The key issue is the height of the roof extension over the rear part of the building and the appearance of the new floor space from outside the site. In this regard we have concluded that the height of the building and design of the roof are entirely sympathetic to both the

existing dwelling and surrounding environment. The roof form will not impinge upon the view corridor which is currently enjoyed over the top of this site towards the east. The minor shadow which will be cast from the slightly higher roof will not fall upon any habitable area or private open space. The new floor space is totally within the new roof form and the new modified roof form is the re framing of an existing skillion roof into a vaulted form. The proposed works are entirely over the existing footprint of the building. There is no change to areas outside the building footprint. Given the low impact of the proposal and the integrity of the design, the proposed works are unlikely to result in any adverse effect upon any immediate neighbour. Given that a small area of floor space can be accommodated within this modified roof form without significant environmental effects, the proposal is satisfactory.

View assessment

As shown in Figure 8, the proposed roof will not have any impact upon the views towards the foreshore and water which are currently enjoyed by the residents on the upper side of Palm Beach Road. The new roof form will obscure some of the roof forms of dwellings which are located further to the east.

Privacy

The proposed additional floor area within the roof space looks out to the east. Due to the angle of view and vegetation around the perimeter of the site and surrounds, it will not allow a direct line of sight into dwellings below. The additional floor space is a bedroom area. Part of the roof is already occupied as a bedroom area.

Overshadowing

The proposal does not result in any adverse loss of sunlight from any living area or area of private open space.

6.7 The suitability of the site for the development

The proposal is a modest alteration and addition to an existing dwelling in the form of new roof form at the rear of the site which is the continuation of the existing vaulted roof at the front of the dwelling, through to the rear. The site will continue to be used as a single dwelling and therefore the site is considered suitable for the development.

6.8 Submission made in accordance with this Act or the regulations

This is a matter for Council to consider and any submission will be reviewed by the applicant however the proposal has been designed to minimise impacts on surrounding development.

6.9 The public interest

The proposal is considered to be in the public interest as it complies with the main provisions and objectives of the LEP and DCP and will maintain the visual quality of the locality through a design which is sensitive to the existing dwelling and its surrounds. The environmental impact of the proposal has been assessed and it has been concluded that there is no significant impact upon the surrounding lands or the amenity which is currently enjoyed by the nearest neighbours.

7. CONCLUSION

The proposal provides for minor alterations and additions to an existing dwelling in the form of a modification to the existing roof form in the south eastern corner of the dwelling. The existing vaulted roof at the front of the dwelling will be carried through to the rear at the same level, having the same ridge height. When viewed from the rear of the site, it will match the vaulted roof which sits to the north. The same architect who conceived the original design has also designed the proposed new roof form and as such, the architectural integrity of the building is ensured.

The new roof form at the rear of the building have been carefully sited on the existing footprint of the building to avoid any adverse environmental impact upon the nearest neighbours in terms of loss of view or overshadowing and this has been demonstrated on the plans and within the submitted documentation. Further, pre DA discussions with the potentially affected neighbours were conducted to establish view corridors over the site and the nature of rooms which could be potentially affected by some additional shadows. Consequentially, the proposal has been designed to sit sympathetically within this site and will not detrimentally affect the amenity of any surrounding neighbour. The changes are complementary to both the existing dwelling and the surrounding locality.

Although there is a non compliance to the overall height of the building by virtue of the apex of the roof being in excess of 8.5 metres, the proposal complies with the objectives of Council's planning requirements.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the DCP

We believe the development provides a quality planning outcome for the site and seek Council's support for the proposal.

APPENDIX A

CLAUSE 4.6 VARIATION

APPENDIX B

DCP TABLE