

STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and
Additions to
Residential Flat
Building

3/149 Balgowlah Road,
Balgowlah

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Statement of Environmental Effects

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3/149 Balgowlah Road, Balgowlah

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1 Introduction

This statement has been prepared as part of the supporting documentation for a Development Application in relation to alterations and additions to the existing residential flat building on the subject site. The works relate to the proposed roof to cover the existing outdoor terrace. The new terrace roof will be an addition to the existing pitched roof so ensure a cohesive design.

In addition to the Statement of Environmental Effects, the following also accompanies the application:

- Survey;
- Architectural Plans by Alice Cutcliffe Architect

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979;
- Manly Local Environmental Plan 2013 and
- Manly Development Control Plan 2013

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the proposed use and associated works.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

2 Site Analysis

2.1 Site Description and Location

The site is identified as being within lot CP, in SP23066. The subject site is a corner allotment with primary frontage to Balgowlah Road and secondary frontage to Marjory Thomas Place. The site has an area of 487.3m², primary frontage of 13.25m, secondary frontage of 37.735m, northern boundary of 40.235m and eastern boundary of 12.19m. The topography of the site is relatively flat. An aerial location view is provided as figure 1 below.



Figure 1: Site Location Map (Source: Six Maps)

Development on the site consists of 2 detached buildings which incorporates a single storey dwelling adjacent to the Balgowlah Road frontage with a 2 storey flat building located at the rear. Images are provided below of the existing development on the site.



Figure 2: *Balgowlah Road frontage*



Figure 3: *Rear flat building – Marjory Thomas Place frontage*

Development in the local area consist of a range of residential typologies with Balgowlah local centre located in close proximity.

3 Description of Development

3.1 Details of the Proposed Development

The proposed works comprise of minor roof extension to cover the existing terrace of the upper level apartment. The terrace roof will continue the existing pitched roof form. The roof will incorporate some skylights to provide light to the terrace. Privacy screen are also proposed to the terrace.

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential environmental impacts are discussed below.

4.1 Manly Local Environmental Plan 2013

4.1.1 Zoning and Permissibility

The subject site is Zoned R1 General Residential. The objectives of R1 General Residential 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.*

The works relate to alterations and additions to an existing residential flat building which is a permissible use in the R1 zone. As such, the works are permissible with consent.

4.1.2 Floor Space Ratio

Pursuant to clause 4.4 in the LEP, the site has a maximum floor space ratio (FSR) control calculated at 0.6:1. The objectives of the FSR control are as follows:

- a) *to ensure the bulk and scale of development is consistent with the existing and desired Streetscape character,*
- b) *to control building density and bulk in relation to a site area to ensure that development does not obscure important landscape and townscape features,*
- c) *to maintain an appropriate visual relationship between new development and the existing character and landscape of the area,*
- d) *to minimise adverse environmental impacts on the use or enjoyment of adjoining land and the public domain,*
- e) *to provide for the viability of business zones and encourage the development, expansion and diversity of business activities that will contribute to economic growth, the retention of local services and employment opportunities in local centres*

The works relate to a new roof over an existing terrace. Terraces and balconies with outer walls less than 1.4m are excluded from the calculation on gross floor area. As such, the existing FSR on the site is to remain unchanged with the proposed works.

4.1.3 Height of Buildings

Pursuant to clause 4.3 in the LEP the max building height is measured at 8.5m. The objectives of the control are as follows:

- a) *to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future Streetscape character in the locality,*
- b) *to control the bulk and scale of buildings,*
- c) *to minimise disruption to the following:*
 - i. *views to nearby residential development from public spaces (including the harbour and foreshores),*
 - ii. *views from nearby residential development to public spaces (including the harbour and foreshores),*
 - iii. *views between public spaces (including the harbour and foreshores),*

The terrace roof will maintain the existing roof ridge height which sits comfortably below the 8.5m development standard, as depicted on drawing DA06 and DA07 of the architectural set.

4.1.4 Acid Sulfate Soils

Pursuant to clause 6.1 of the LEP the objective is to ensure that development does not disturb expose or drain acid sulfate soils and cause environmental damage. The subject site is mapped as being within class 5 acid sulfate soils. No excavation works are required with this application that would impact on acid sulfate soils.

4.2 Manly Development Control Plan 2013

The relevant provisions of the Manly Development Control Plan 2013 in relation the proposed works are detailed as follows:

Control	Requirement	Proposed	Compliance
Streetscapes and Townscapes 3.1	<p>To minimise any negative visual impact of walls, fences and carparking on the street frontage.</p> <p>To ensure development generally viewed from the street complements the identified streetscape.</p> <p>To encourage soft landscape alternatives when front fences and walls may not be appropriate.</p> <p>To ensure that all parking provision is designed and sited to respond to and respect the prevailing townscape.</p> <p>To assist in maintaining the character of the locality.</p> <p>To recognise the importance of pedestrian movements and townscape design in the strengthening and promotion of retail centres.</p>	<p>The design of the roof terrace reflects the detailed site and streetscape analysis and provides a contextually responsive built form. The relatively minor nature of the works proposed ensure that there is little adverse impacts on the streetscape character and will complement the existing built form on the site. The terrace roof continues the pitched roof form which is compatible with the existing building and with development within the streetscape.</p>	Yes

Control	Requirement	Proposed	Compliance
	To minimise negative visual impact, in particular at the arterial road entry points into the Council area and the former Manly Council area, so as to promote townscape qualities.		
Preservation of Trees 3.3.2 Footpath Tree Planting 3.3.3	<p>To protect and enhance the urban forest of the Northern Beaches.</p> <p>To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.</p>	No trees proposed to be removed or impacted with the terrace roof.	Yes
Sunlight Access and Overshadowing 3.4.1	<p>New development (including alterations and additions) must not eliminate more than one third of the existing sunlight accessing the private open space of adjacent properties from 9am to 3pm at the winter solstice (21 June) ; or</p> <p>Where there is no winter sunlight available to open</p>	<p>Shadow diagrams have been prepared and are provided within the architectural plans. The additional overshadowing caused by the terrace roof will not significantly impact on any neighbouring properties.</p> <p>The development is compliant with this control.</p>	Yes

Control	Requirement	Proposed	Compliance
	space of adjacent properties from 9am to 3pm, the calculations for the purposes of sunlight will relate to the equinox in March and September from 9am to 3pm.		
Privacy and Security 3.4.2	<p>To minimise loss of privacy to adjacent and nearby development by:</p> <ul style="list-style-type: none"> • appropriate design for privacy (both acoustical and visual) including screening between closely spaced buildings; • mitigating direct viewing between windows and/or outdoor living areas of adjacent buildings. <p>To increase privacy without compromising access to light and air. To balance outlook and views from habitable rooms and private open space.</p>	<p>There are no proposed works to the building that would raise any concerns regarding privacy impacts to the adjoining developments.</p> <p>The addition of a roof to the terrace will provide added privacy and security for the occupants.</p>	Yes

Control	Requirement	Proposed	Compliance
	To encourage awareness of neighbourhood security.		
Stormwater Management 3.7	<p>To manage urban stormwater within its natural catchments and within the development site without degrading water quality of the catchments or cause erosion and sedimentation.</p> <p>To manage construction sites to prevent environmental impacts from stormwater and protect downstream properties from flooding and stormwater inundation.</p>	The drainage from the terrace roof will be able to connect to the existing drainage system on the site.	Yes
FSR 4.1.3	0.6:1	As existing	Yes
Front Setback 4.1.4.1	Road Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.	The front setback is to be maintained to the single storey dwelling.	Yes

Control	Requirement	Proposed	Compliance
Side Setbacks and secondary street frontages 4.1.4.2	<p>1/3 of wall height</p> <p>Projections into the side setback may be accepted for unenclosed balconies, roof eaves, sun-hoods, and the like, if it can demonstrate there will be no adverse impact on adjoining properties including loss of privacy from a deck or balcony.</p> <p>For secondary street frontages of corner allotments, the side boundary setback control will apply unless a prevailing building line exists. In such cases the prevailing setback of the neighbouring properties must be used. Architecturally the building must address both streets.</p>	<p>The existing terrace sits 900mm off the eastern boundary with the surrounding planter boxes siting adjacent to the boundary.</p> <p>The proposed terrace roof will align with the 900mm setback established with the terrace. While the fixed roof is not in strict accordance with the 1/3 wall height control, it is considered reasonable in this instance.</p> <p>The new roof does not give rise to any unreasonable amenity impacts with regard to overshadowing, privacy or view loss. The roof will allow for appropriate spatial separation from the adjoining development to the east and northern adjoining property. It is considered that minor roof extension will not result in any unreasonable visual impacts when viewed from neighbouring properties.</p>	<p>No – worthy on merit.</p>
Open Space and Landscaping	<p>55% Open Space</p> <p>35% Soft Landscaping</p>	<p>The works proposed will maintain the existing open space and landscape area on the site.</p>	<p>Yes</p> <p>Yes</p>
First Floor and Roof Additions	<p>First floor additions must complement the architectural style of the ground floor and</p>	<p>The roof addition over the terrace will maintain the existing pitched roof form. In this regard, the works will</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
4.1.7	<p>where possible retain existing roof forms. Notwithstanding setback provisions, the addition may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues.</p> <p>The dwelling and the form of alterations and additions must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences or the aesthetic quality of the former Manly Council area. In this regard, it may be preferable that the addition be confined to the rear of the premises or be contained within the roof structure.</p>	<p>complement the existing building. No amenity impacts are foreseen with the roof extension with respect to privacy and overshadowing.</p>	

4.3 Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 as Amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines (in *italic*) to help identify the issues to be considered have been prepared by the Department of Planning and Environment. The relevant issues are:

(i) The provision of any planning instrument

The proposal is permissible and generally in conformity with the General, Development Type and Locality Specific Controls contained within Manly Development Control Plan.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent.

(ii) Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

N/A

(iii) Any development control plan

Manly DCP applies.

(iiia) Any Planning Agreement that has been entered into under section 7.4 or any draft planning agreement that a developer has offered to enter into under Section 7.4, and

N/A

(iv) The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

N/A

(v) Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)

N/A

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality,

Context and Setting

- i. What is the relationship to the region and local context in terms of:*

The scenic qualities and features of the landscape

The character and amenity of the locality and Streetscape

The scale, bulk, height, mass, form, character, density and design of development in the locality

The previous and existing land uses and activities in the locality

The proposed alterations and additions are entirely commensurate with that established by adjoining development and development generally within the sites visual catchment with no adverse residential amenity impacts in terms of views, privacy or overshadowing.

ii. *What are the potential impacts on adjacent properties in terms of:*

Relationship and compatibility of adjacent land uses?

sunlight access (overshadowing)

visual and acoustic privacy

views and vistas

edge conditions such as boundary treatments and fencing

These matters have been discussed in detail earlier in this report. The works have been designed such that potential impacts are minimal and within the scope of the built form controls.

Access, transport and traffic:

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

Travel Demand

dependency on motor vehicles

traffic generation and the capacity of the local and arterial road network

public transport availability and use (including freight rail where relevant)

conflicts within and between transport modes

Traffic management schemes

Vehicular parking spaces

Existing off-street parking circumstance to be maintained.

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

Existing utility services will continue to service the dwelling house.

Flora and Fauna

N/A

Waste Collection

Normal domestic waste collection applies to the existing dwelling house.

Natural hazards

N/A

Economic Impact in the locality

The proposed development will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period with respect to the proposed works.

Site Design and Internal Design

Is the development design sensitive to environmental considerations and site attributes including:

size, shape and design of allotments

The proportion of site covered by buildings

the position of buildings

the size (bulk, height, mass), form, appearance and design of buildings

the amount, location, design, use and management of private and communal open space

Landscaping

These matters have been discussed in detail earlier in this report. The potential impacts are minimal and within the scope of the general principles, desired future character and built form controls.

How would the development affect the health and safety of the occupants in terms of:

lighting, ventilation and insulation

building fire risk – prevention and suppression

building materials and finishes

a common wall structure and design

access and facilities for the disabled

likely compliance with the Building Code of Australia

The proposed development will comply with the provisions of the Building Code of Australia as required by Clause 98 of the Environmental Planning and Assessment Regulation 2000. There will be no detrimental effects on the occupants through the building design which will achieve the relevant standards pertaining to health and safety.

Construction

What would be the impacts of construction activities in terms of:

The environmental planning issues listed above

Site safety

The development will be carried out in accordance with the provisions of the Protection of the Environment Operations Act 1997. Normal site safety measures and procedures will ensure that no site safety or environmental impacts will arise during construction.

(c) The suitability of the site for the development

Does the proposal fit in the locality

Are the constraints posed by adjacent development prohibitive

Would development lead to unmanageable transport demands and are there adequate transport facilities in the area

Are utilities and services available to the site adequate for the development

Are the site attributes conducive to development

The site is located in an established residential area. The adjacent development does not impose any unusual or impossible development constraints. The proposed development will not cause excessive or unmanageable levels of transport demand.

The site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed works.

(d) Any submissions received in accordance with this act or regulations

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(e) The public interest

The architect has responded to the client brief to provide for a dwelling of design merit that provides a high level of amenity for the future occupants whilst appropriately addressing the sites setting and maintaining the amenity of the nearby residential properties. The development will provide a quality built form outcome on the site.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of good design that satisfies the outcomes and controls contained within the adopted legislative framework. Accordingly, approval of the development would be in the public interest.

5 Conclusion

The proposed terrace roof extension to the building are commensurate with surrounding development and do not give rise to any unreasonable amenity impacts to neighbouring dwellings. The works are consistent with the objectives of the built form controls as they reasonably apply.

It is considered that the proposal is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed terrace roof is compatible with the existing Streetscape and development in the local area generally.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of exceptional design merit, that satisfies the outcomes and controls contained within the adopted legislative framework.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.