

STATEMENT OF ENVIRONMENTAL EFFECTS

4/235 PITTWATER ROAD, MANLY

PROPOSED ALTERATIONS TO AN EXISTING DWELLING

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

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1. INTRODUCTION

This application seeks approval for the construction of alterations to an existing semi-detached dwelling house including new parking space and front fence upon land identified as Lot 4 in SP 45983 which is known as **No. 4/235 Pittwater Road, Manly**.

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 Kevin Brown Surveys, Ref No. S-30869-1 and dated 09/10/2024.
- Architectural Plans prepared by Wray & Cutcliffe Architects, Job No. 2406, Issue C and dated 28/01/2025.
- Building Code of Australia 2022 Compliance Report prepared by AI Consultancy, Ref No. 24270B – R1.1 and dated 06/01/2025.
- BASIX Certificate No. A1781186_02 and dated 30 January 2025.
- Waste Management Plan.

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.

2. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 4 in SP 45983 which is known as No. 4/235 Pittwater Road, Manly. The site is located on the southern side of Pittwater Road with a frontage of 12.19m. The site is rectangular in shape and has an area of 491.7m² with a depth of 40.355m. The locality is depicted in the following map:



Site Location Map

The site is relatively level with a very slight fall towards the front northwest corner of the site. The site has a fall of less than 300mm.

The site currently comprises a two storey brick residential flat building with a pitched tiled roof. The building comprises four sole occupancy dwellings. The site provides parking for two cars at grade within the front setback.

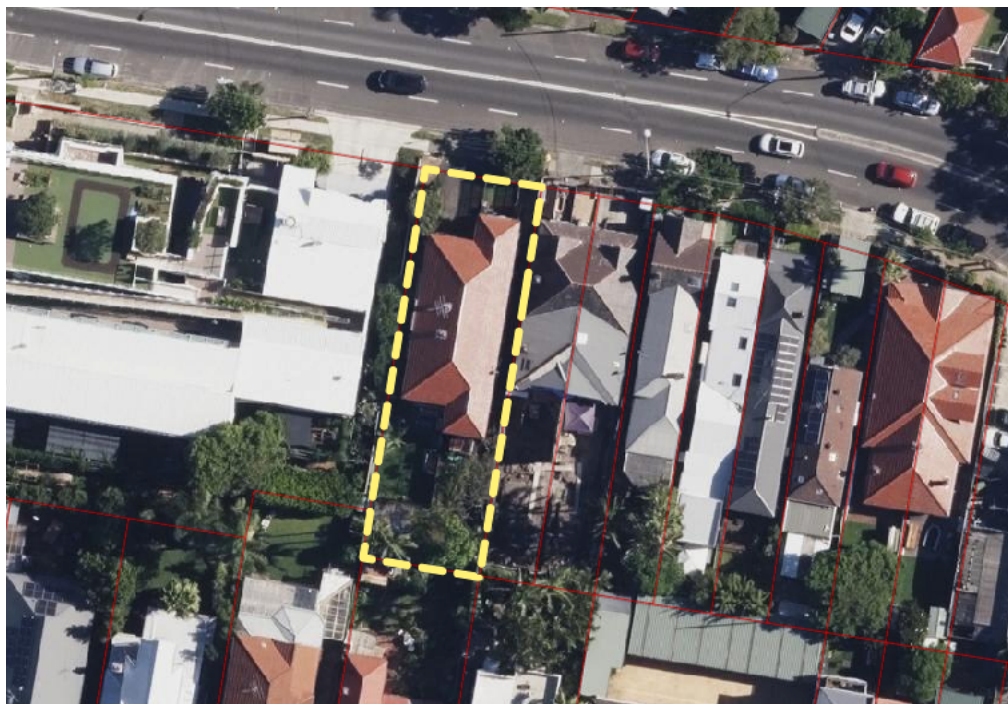
Unit 4 is the rear upper level Unit and is the subject of this application.

The site is depicted in the following photographs:



View of Site from Pittwater Road (Unit 4 is at the rear of the building)

The existing surrounding development comprises a mix of semi-detached dwellings and detached dwellings comprising of 1 and 2 storeys. Development to the west comprises a child care centre with commercial premises further to the west. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations to existing Unit 4 (sole occupancy unit) within the existing residential flat building. All works are confined to the envelope of Unit 4.

The proposed alterations are described below:

- Internal alterations to relocate door and provide internal stair.
- Reduce ceiling height to provide a habitable loft contained within the existing roof form.
- Installation of skylights in existing roof form.

The proposal will result in the following numerical indices:

Site Area:	497.2m²
Existing Floor Area:	269.63m² or 0.54:1
Proposed Floor Area:	292.19m² or 0.587:1

It is noted that there is no change to the existing total open space or landscaped open space.

4. 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.

4.1 Planning for Bushfire Protection 2006



Extract of Bushfire Prone Lands Map

The subject site is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply.

4.2 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 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.*

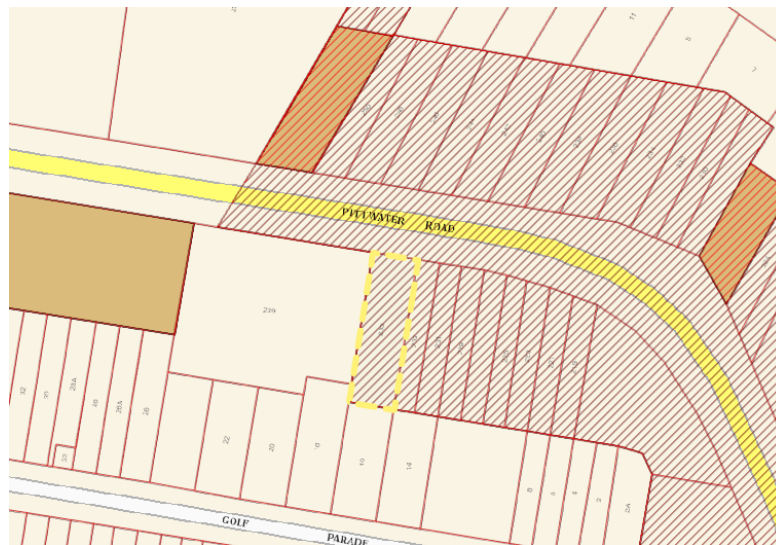
It is considered that the proposed development achieves these objectives by:

- The proposal provides for a minor alterations within the existing building envelope which is not visible from the street or the public domain.

Semi-detached dwellings and associated structures are a permissible use in the R1 General 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	8.5m	Yes
Clause 4.4 Floor Space Ratio	0.6:1	0.587:1	Yes

Clause 5.10 Heritage Conservation



Extract of Heritage Map

The subject site is not heritage listed however it is located within the Pittwater Road Conservation Area. The proposed alterations are located within the existing envelope and are not visible from the street or public domain. A separate Heritage Impact Statement has been prepared..

No further information is required in this regard.

Clause 6.1 Acid Sulfate Soils

The site is identified as Class 4 on Council's Acid Sulfate Soils Map. The proposal does not provide for any excavation or ground works and therefore no further investigation 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 proposal provides for minor alterations to existing Unit 4 which is located at the rear of the existing residential flat building. The works proposed are contained within the existing envelope and are not visible from the public domain or the streetscape.

There is no impact on the existing streetscape.

The intended outcomes are noted as:

- i) complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality;*
- ii) ensure the bulk and design of development does not detract from the scenic amenity of the area (see also paragraph 3.4 Amenity) when viewed from surrounding public and private land;*
- iii) maintain building heights at a compatible scale with adjacent development particularly at the street frontage and building alignment, whilst also having regard to the LEP height standard and the controls of this plan concerning wall and roof height and the number of storeys;*
- iv) avoid elevated structures constructed on extended columns that dominate adjoining sites such as elevated open space terraces, pools, driveways and the like. See also paragraph 4.1.8 Development on Sloping Sites and paragraph 4.1.9 Swimming Pools, Spas and Water Features;*
- v) address and complement the built form and style any heritage property in the vicinity to preserve the integrity of the item and its setting. See also paragraph 3.2 Heritage Considerations;*
- vi) visually improve existing streetscapes through innovative design solutions; and*

- vii) *Incorporate building materials and finishes complementing those dominant in the locality. The use of plantation and/or recycled timbers in construction and finishes is encouraged. See also paragraph 3.5.7 Building Construction and Design*

It is considered that the proposal provides alterations to the existing dwelling that are compatible with the existing surrounding streetscape.

Clause 3.1.1.1 Setbacks

In higher density areas (including LEP Zones R1 & R3), careful consideration should be given to minimising any loss of sunlight, privacy and views of neighbours. This is especially relevant in the design of new residential flat buildings adjacent to smaller developments.

The proposed alterations are contained within the existing building envelope and do not encroach the existing building setbacks.

Clause 3.3 - Landscaping

All works are contained within the existing building envelope and do not require the removal of any existing vegetation.

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

The objectives of the clause are noted as:

- Objective 1) 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.*
- Objective 2) To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.*

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

- The proposal provides for alterations which are contained within the existing building envelope. The proposal does not provide for any additional window or door openings.
- The proposal provides for new skylights which do not permit any overlooking.
- The subject and surrounding properties do not currently enjoy any significant views and all works are contained within the existing building envelope. Therefore, there will be no impact on existing views.
- The proposal does not have any impact on existing private open space.

Clause 3.5 - Sustainability

A BASIX Certificate has been submitted with the application.

Clause 3.7 - Stormwater Management

The proposed works are contained within the existing building footprint and do not result in any additional runoff. All collected stormwater will continue to be discharged to the existing stormwater system.

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 D3 – 1 dwelling per 250m ²	The site area is 497.7m ² however the proposal does not seek to increase housing density.
Floor Space Ratio	Refer to LEP 0.6:1	Yes The proposal provide for a FSR of 0.587:1.
Wall Height	Height – 6.5m	No change to existing wall height.
Number of Storeys	Two Storeys	Yes Existing two storey building retained. Works are within the existing building envelope.
Roof Height	2.5m above wall height	Not Applicable
Parapet Height: 600mm above wall height.	600mm above wall height	Not Applicable
Maximum Roof Pitch	35°	Not Applicable
Building Setbacks	Front Setback – Min. 6.0 metres or consistent with neighbouring.	The alterations to existing Unit 4 do not encroach the existing setbacks.
	Side Setback – 1/3 of the height of wall.	Not Applicable.

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>Existing rear setback retained.</p>
Landscaping/Open Space	<p>Open Space Area 3: Minimum total open space: 55% of site area.</p> <p>Minimum soft open space as % of total open space: 35%</p> <p>Minimum number of endemic trees: 1</p> <p>Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m².</p>	<p>The proposed works are contained within the existing building envelope and footprint. The proposal does not alter the existing open space or landscaped area of the site.</p>
Parking and Access	<p>Minimum 2 Spaces per Dwelling.</p> <p>Garages/carports shall be sited so as to not dominate the street frontage through the use of appropriate materials.</p>	<p>The site currently provides for two parking spaces on site and there is no opportunity for additional parking on site. The proposal does not seek to increase the number of sole occupancy units on site, rather it seeks to meet the needs of an existing family residing in Unit 4. The proposal does not increase parking demand on site.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	Maximum width of structures forward of the building line is 6.2m or 50% of site width whichever is the greater.	
First Floor Additions	Additions may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues. Must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences	Not Applicable
Fences	Maximum height 1.0m for solid Maximum height 1.5m where at least 30% is transparent.	Not Applicable

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

5. 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 alterations to an existing sole occupancy unit within an existing residential flat building without detrimentally impacting on the character of the area. The works are located within the existing building envelope and do not result in the removal of any protected vegetation. The design of the proposal is such that they do not result in any loss of privacy.

The Suitability of the Site for the Development

The subject site is zoned R1 General Residential and the construction alterations to an existing residential unit within a residential flat building in this zone is permissible with the consent of Council. The proposed development does not result in any additional bulk or scale. The proposal does not result in the removal of any protected 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 alterations to an existing residential unit that are contained within the building envelope and remain compatible with other development in this locality without any impact on the amenity of the adjoining properties or the public domain.

6. CONCLUSION

This application seeks approval for the construction of alterations to an existing sole occupancy unit within an residential flat building. 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 alterations to an existing residential unit upon land at **No. 4/235 Pittwater Road, Manly** is worthy of the consent of Council.

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