

GPL Planning

Statement of Environmental Effects

19 Manly Rd, Seaforth

For alterations and additions (including a new first floor) to an existing single-storey dwelling house.

Submitted to:
Northern Beaches Council

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CONTENTS

1. INTRODUCTION	3
2. THE SITE AND ITS SURROUNDS	4
2.1 Surrounding Development.....	8
2.2 Access and Public Transport.....	8
3. THE PROPOSAL	8
3.1 Proposed Works.....	9
3.2 Waste Management	9
4. STATUTORY AND POLICY CONTEXT	10
4.1 SEPP No.55 - Remediation of Land	10
4.2 SEPP Building Sustainability Index: BASIX 2004.....	11
4.3 Manly Local Environmental Plan 2013	11
4.4 Manly Council Development Control Plan 2013	14
4.5 Any Planning Agreement or Draft Planning Agreement	17
4.6 The Regulations	17
4.7 Impacts on Natural and Built Environment	17
4.8 Social and Economic Impacts	18
4.9 The Suitability of the Site.....	18
4.10 The Public Interest	18
5. CONCLUSION.....	19

LIST OF ATTACHMENTS

Clause 4.6 exception to Floor Space Ratio

1. INTRODUCTION

‘GPL Planning’ has been engaged to assist the development application process by the preparation of this Statement of Environmental Effects which accompanies a formal development application to undertake alterations and additions to the existing single-storey dwelling and includes a new first floor level at No.19 Manly Road, Seaforth.

This Statement accompanies a development application which is supported by detailed plans prepared by ‘Uri T Design’.

This Statement describes the site and surrounding area, the nature of the proposed development, and, sets out the statutory and policy context. It also undertakes an assessment of the proposed development under the heads of consideration in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*.

The proposed development is permissible with the consent of Council in the *R2 Low Density Residential* zone and is otherwise compliant with the relevant prescriptive controls and objectives of the Manly LEP 2013 and DCP 2013 as they apply to the subject site except for the maximum floor space ratio requirements under clause 4.4(2) of the LEP. Consequently, a clause 4.6 exception has been sought and which accompanies this Statement of Environmental Effects.

Despite the FSR variation being sought in this development proposal, no adverse impacts are expected to be imposed upon any adjoining or surrounding properties. While in terms of its design, the proposal is considered to be consistent with the existing streetscape of Manly Road.

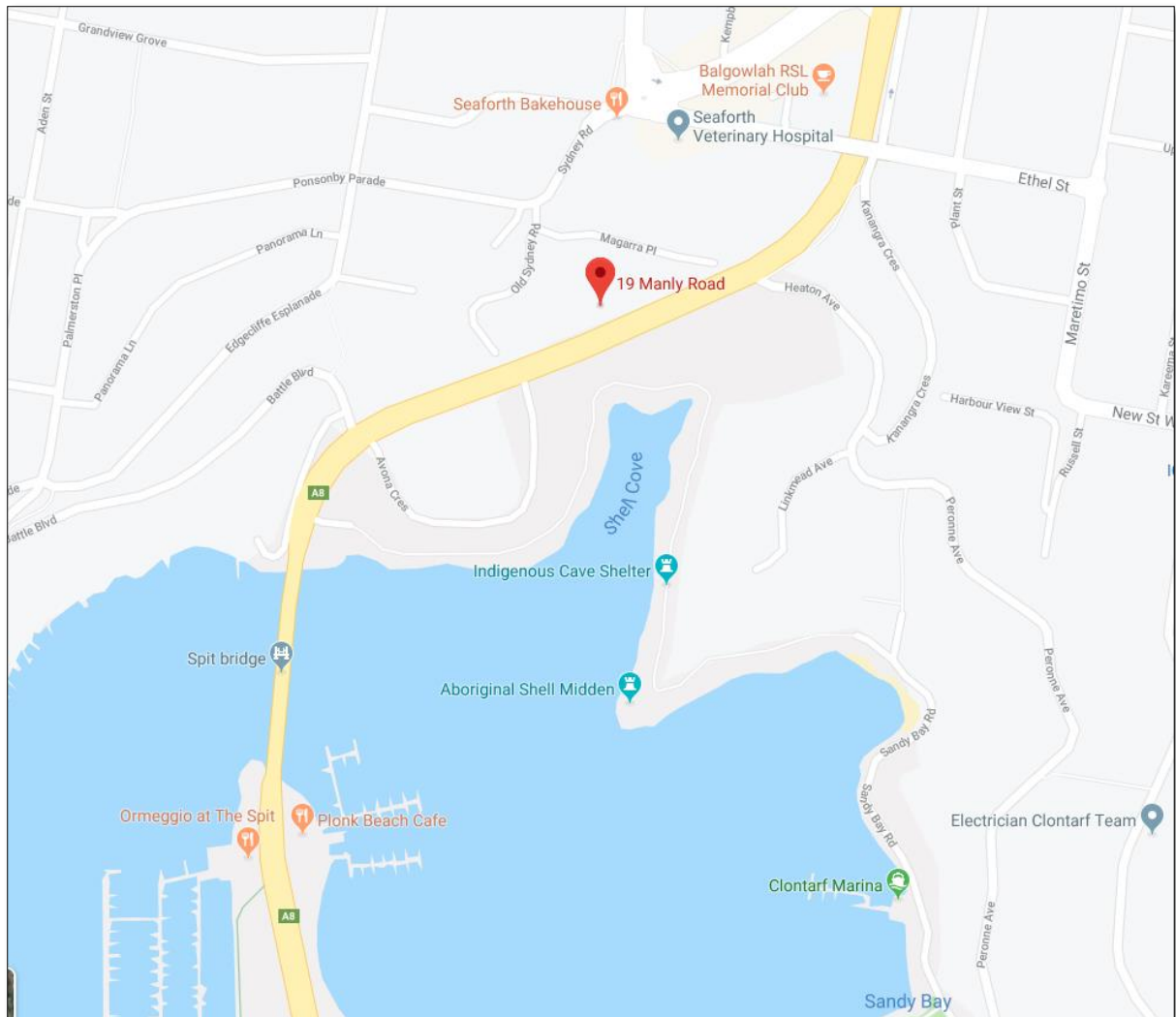
The conclusion is reached that the proposal is acceptable with respect to all relevant planning matters and seeks Council’s concurrence in support of this proposal.

2. THE SITE AND ITS SURROUNDS

The site is located on the northern side of Manly Road, Seaforth, approximately half way between the Spit Bridge and Ethel Street overpass

The site generally has a south to north aspect and has a legal description of Lot 1 in DP 204401.

A site locality plan and aerial view is provided below.



Locality map (source: Google Maps)



Aerial view (source: sixmaps.nsw.gov.au)

The site comprises a trapezoidal shaped allotment with an existing single-storey dwelling house and double garage below. Due to the site being located within an existing elevated escarpment, the topography of the site falls approximately 5m from the existing rear yard down to the kerbside.

The site has front southern boundary of 19.465m, a rear combined northern boundary of 14.43, an eastern side boundary of 35.235m and western side boundary of 41.465m

The site has a total site area of 626m² (by title – see survey plan for details). [It should be noted that Council's records identifies the site area as 670m².]

The site well serviced by easy access to Seaforth and Balgowlah village/s which are <500m walking distance away (via Magarra Place and Sydney Road).



Street view (subject site between red lines)



Front elevation (above garage)



Rear elevation



Rear yard view

2.1 Surrounding Development

Manly Road is a non-typical residential street in this part of Seaforth, principally because of its steepness, 6 lanes of traffic and being the only road providing direct access between North Sydney and the northern suburbs.

Most residences facing Manly Road are enlarged 2-3 storey dwellings and comprises a mixture of older and recently redeveloped/new two-three storey dwellings and some attached dwellings (eg.17 and 17A Manly Road).

Images are provided below which show the existing contextual setting of the site and its surrounds.



Manly Road (S-W of the subject site)

2.2 Access and Public Transport

The subject site well serviced by public transport being directly behind a bus stop which provides access to the 170, 178, 180, 188, E69, E70, E71 and E75 bus routes which provides access to Manly, Brookvale, Narraween, Collaroy Plateau, Mona Vale, Maybrook Village and Wynyard Station.

3. THE PROPOSAL

3.1 Proposed Works

The works entails minor internal structural alterations, replacements/reconfigurations of windows and doors, and minor new additions as follows:

- Lower Ground/Footpath Level: Currently comprises a double garage with a supporting column separating 2 single garage doors.

It is proposed to remove the column and replace the 2 garage doors with 1 x double garage door.

- Ground Level: A number of internal walls are to be removed to open up the living spaces facing Manly Road.

The existing on the south-eastern corner of the building will be enclosed with an extended eastern side wall and rood above (which forms part of the upper floor). The terrace will be accessible from a new sliding door from the main dining room.

New internal stairs are to be constructed within the eastern side of the building (behind the terrace).

Bedroom 2 and the adjoining ensuite and bathroom will be reconstructed.

A new external staircase is to be constructed along the rear elevation to provide direct access to the rear yard and swimming pool from the new first floor addition.

- Upper Floor Level (new): Will comprise 3 bedrooms (1 master suite facing Manly Road), a rumpus room, bathrooms and extensive rear balconies.

3.2 Waste Management

Domestic waste, green waste and recyclables will be taken away by Council during its regular weekly clean ups.

A WMP accompanies the development plans.

4. STATUTORY AND POLICY CONTEXT

This section undertakes an assessment of the proposal in the context of the heads of consideration set out in Section 4.15(1) of the EP&A Act. The relevant matters for consideration under Section 4.15(1)(a) are identified in the table below:

EP & A Act, 1979.	Matters for Consideration	Complies
4.15(1)(a)(i)	SEPP 55 – Remediation of Land	Yes (see comments below)
"	SEPP (BASIX) 2004	Yes (see comments below)
"	Manly LEP 2013	Yes (see comments below)
4.15(1)(a)(iii)	Manly DCP 2013	Yes (see comments below)

The primary statutory documents that relate to the proposed development are State Environmental Planning Policy (BASIX) 2004 and Manly Local Environmental Plan (LEP) 2013. While the primary non-statutory document is Manly Development Control Plan (DCP) 2012 (Amendment 11).

The relevant provisions of these documents and other relevant matters for consideration (incl. Sections 4.15(1)(b), (c) and (e) of the Act) are summarised below and the development proposals compliance with them has been assessed.

4.1 SEPP No.55 - Remediation of Land

This State Environmental Planning Policy (SEPP) applies to the whole State and introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.

The site has been continuously used for residential purposes, which suggests that in terms of remediation, there is no reason for concern regarding the continued use of the site for residential purposes.

The extent of excavations will be limited to the new footings for the rear additions to the building and do not warrant a preliminary investigation to be undertaken.

4.2 SEPP Building Sustainability Index: BASIX 2004

In accordance with the provisions of this SEPP, a BASIX Certificate is submitted with the application and confirms that the proposal, once operational, will comply with the water, thermal comfort and energy efficiency requirements of the policy.

4.3 Manly Local Environmental Plan 2013

Zoning

The site is zoned *R2 Low Density Residential* under the provisions of the LEP. The objectives of the R2 zone as applicable to this development proposal are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal is considered to be entirely consistent with the above stated objectives and will provide for the housing needs of the community in a low-density residential environment. It will ensure the renewal of the site for continued low density residential purposes and provides for a suitable response in terms of its finished design whilst retaining the architectural integrity of the existing residence.

The proposal has been purposefully designed to have limited impact upon the amenity of surrounding residents and ensures that the neighbouring and surrounding properties with which it shares a common boundary with will not be prejudiced by the proposal.

Building height

The site is affected by a maximum building height of 8.5m under clause 4.3 of the LEP. As provided in the architectural plans, the maximum proposed building height will be below 8.5m to the highest point of the roof.

The [relevant] objectives of clause 4.3 as applicable to the proposal are:

- (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),*
- (d) to provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,*

The proposal is considered to be entirely consistent with the above stated objectives. The finished scale of residence will be consistent with surrounding dwellings and will also be consistent with the desired character of the surrounding area which is personified by the construction of enlarged 2-3 storey dwellings and dual occupancies.

Floor space ratio

In accordance with clause 4.4(2) of the LEP, the site is allowed a maximum floor space ratio of 0.4:1 (or 250.4m² of GFA).

The proposal will result in a total gross floor area of 301.1m² (resulting in an FSR of 0.48:1). This results in a non-compliance of approximately 51m², or a 20% variation with the maximum permissible FSR requirements of the LEP.

It should be noted that the increased floor space will result in no additional adverse impacts upon the existing surrounding neighbours which is demonstrated by the following:

- 1) The existing building footprint is not being enlarged;
- 2) The front entrance addition has only a street presentation and outlook in that direction;
- 3) The rear elevation is dominated by extended first floor balconies;
- 4) The proposed bay windows on the first floor street facing elevation contributes almost 10m² of GFA and remains as unusable habitable area; and

Significantly, as much as the construction of 1st floor balconies overlooking the spit and middle harbour could have been successfully used in the design of this building and which would not have contributed towards calculable floor space, the level of traffic noise along the 6 lanes of steeply sloping roadway directly in front of the site effectively forces all property owners along this section of Manly Road to reconsider 'opening up' their first floor street facing level with balconies (eg. No.13 Manly Rd).



No.13 Manly Road (minimal balconies facing Manly Rd)

Notwithstanding the above, a clause 4.6 variation request to the maximum permissible FSR requirements of the Manly LEP accompanies this Statement of Environmental Effects (see accompanying cl.4.6 for details)

The [relevant] objectives of clause 4.4 as applicable to the proposal are:

- (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,*

The proposal is considered to adequately fulfil the above objectives. The development will result in a form of development that will otherwise be compatible with the bulk and scale of the existing and surrounding buildings and will not result in any adverse impacts upon the amenity of adjoining properties or upon the public domain in terms of visual bulk, privacy or overshadowing.

Details of the proposals ability to fulfil the above objectives and the provisions of cl.4.6 are provided in the accompanying Clause 4.6 Variation.

Bushfire and hazard reduction

The site is identified as an "Inner Protection Area" (IPA) which states:

The IPA is critical to providing a defensible space and managing heat intensities at the building surface. The IPA should provide a tree canopy cover of less than 15% and should be located greater than 2 m from any part of the roofline of a dwelling. Garden beds of flammable shrubs are not to be located under trees and should be no closer than 10 m from an exposed window or door. Trees should have lower limbs removed up to a height of 2 m above the ground.

Having regard to Section 4.14 of the EP & A Act, the proposed development is required to address the requirements of the Rural Fires Act and the document *Planning for Bushfire Protection*, published 2006, by the New South Wales Rural Fire Service.

A Bushfire Assessment Report and Certificate has been prepared by Sydney Bushfire Consultants and accompanies the development application.

There has been adequate assessment to demonstrate a consideration of the requirements of s.63(2) of the *Rural Fires Act 1997*, including what practicable steps will be taken to prevent the occurrence of bush fires on, and to minimise the danger of the spread of bush fires on or from, the development site.

Other matters

There are no other matters in the LEP that are relevant to the subject proposal.

4.4 Manly Development Control Plan 2013

The provisions of the Manly Development Control Plan 2013 (Amendment 11) are applicable to this project and the following provisions are applicable to the proposed development.

Part 3.1 – General Principles of Development

3.1 – Streetscapes and Townscapes

The proposal complements the existing predominant finished built form for this part of Manly Road, which is highlighted by enlarged 2-3 storey dwelling houses.

Building materials and finishes are reflective of the existing style of recently constructed residences.

The bulk and design of development does not detract from the scenic amenity of the area when viewed from surrounding public and private land and the height of the

building is at a compatible scale with adjacent development particularly at the street frontage and building alignment.

Front fences and entry gates remain as existing.

A column which separates the existing double garage into 2 more suitably sized spaces will be removed and 2 single garage doors will be replaced with a typical double door.

An existing waste storage area within the garage will remain in place and not be visible from the streetscape.

3.2 – Heritage Conservation

N/A

3.3 – Landscaping

Existing areas of landscaping will be maintained within the front and rear setbacks of the site and shall be maintained in accordance with relevant bushfire hazard reduction requirements.

3.4 – Amenity

Careful consideration has been given to ensure the amenity of neighbouring properties by ensuring the privacy of neighbours and preventing current overlooking into areas of private open space (see image below).



The rear balconies of 17 and 17A Manly Road, overlooking onto the rear yard/s of neighbouring properties (incl. the subject site).

The proposal will also minimise the loss of sunlight to neighbours (refer to solar access plans for details).

The proposal will not detract from the scenic amenity of the area. In particular, the finished bulk and design of the proposal has been duly considered and assessed from surrounding public and private viewpoints.

The reflectivity of roofs and glass used on external walls will be minimal in accordance with current industry standards.

Privacy and security within the site and to the neighbours will be maintained by the use of highlight windows on the side elevations and privacy screens on the sides of the rear balconies.

The proposed development will provide good levels of amenity for future occupants of the development and those of its existing neighbours with adequate solar access, natural ventilation, privacy and the maintenance of existing view-sharing corridors.

3.5 – Sustainability

A BASIX Certificate has been prepared and is submitted with the application. It confirms that the proposal, once operational, will comply with the water, thermal comfort and energy efficiency requirements of the policy.

3.6 – Accessibility

Provisions pertaining to access for people with a disability and not applicable to dwelling houses.

3.7 – Stormwater Management

All stormwater associated with the redevelopment of the site will be disposed by gravity fed methods to Council's existing stormwater system. Previous advice from Council staff is that detailed plans are not necessary in this case as the footprint of the building is not being enlarged.

3.8 – Waste Management

The proposal involves alterations and additions to the existing residence with limited internal demolition works. As mentioned previously a Site Waste and Recycling Management Plan has been submitted with the DA.

All construction waste will be stored on-site during the works period and all on-going waste from the proposal is capable of being accommodated within the existing waste storage areas.

3.9 – Mechanical Plant Equipment

The siting and location of mechanical plant equipment will ensure that operation of such equipment will not exceed background noise levels.

3.10 – Safety and Security

The proposal provides for a safe environment for residents and visitors to the site. It also provides for passive surveillance of the street in accordance with design principles related to crime prevention.

The proposal allows for activation and surveillance of the street and limits opportunities of concealment for potential break-ins.

4.5 Any Planning Agreement or Draft Planning Agreement

Not applicable.

4.6 The Regulations

All relevant matters prescribed by the Regulations would be expected to be included in the consent for the works.

4.7 Impacts on Natural and Built Environment

The proposal does not require any significant alterations to site topography and will therefore not result in any adverse topographical impacts.

In terms of scenic impacts, the proposed building represents a scale of development reasonably anticipated at the site. The proposal will fit comfortably within the existing residential neighbourhood and will not give rise to any adverse scenic impacts.

The proposed development will not have any significant or unreasonable impacts on air or water quality in the locality. The completed project will be connected to the sewer and stormwater drainage system to Council's requirements and will incorporate a water efficient design in accordance with the submitted BASIX Certificate.

The architectural style of the proposed development offers an acceptable streetscape presentation that is not inconsistent with the existing dwelling house or the character of newer dwellings and other recent developments nearby.

The locality is characterised by large two and three storey dwellings that reflect a mixture of architectural styles and designs. Many of the older dwellings have been

demolished or renovated and replaced with more substantial contemporary homes. Accordingly, the impacts of the proposed development on the natural and built environment of the locality are considered to be acceptable, in character and responsive to the locality.

4.8 Social and Economic Impacts

Undertaking the development works will have some short-term positive economic impacts through employment generation, both direct employment and multiplier effects. In addition, the proposed development will not impact upon the character or residential amenity of the locality. As such, the proposal is considered to be both an economically and socially responsible form of development.

4.9 The Suitability of the Site

The size, shape and location of the site is considered suitable for the proposed development which has been designed to maximise the amenity of residents within the proposal and minimises adverse impacts upon surrounding residences.

The site is located within an established area with good access to services and public transport. As the site is within an established urban area, electricity, sewer, internet and water services are readily available to the subject site. The site is not in an area recognised by Council as being subject to any particular hazards. The proposed development is not likely to increase the likelihood of such hazards occurring and is considered appropriate in this instance.

4.10 The Public Interest

The proposed development has been located to relate appropriately to the site and surrounding development. It will be compatible with existing development and will provide a balance between protecting residential amenity, and providing appropriate amenity to the future occupants.

The proposal complies with the standards and objectives contained within the Manly LEP 2013 and Manly DCP 2013.

4.11 Any Submissions Made

This is a matter for the consent authority to consider, should any submissions be received following the neighbour notification and advertising process.

5. CONCLUSION

It is proposed to undertake alterations and additions to an existing dwelling house.

The impact of the proposed development has been assessed in accordance with the provisions of Section 4.15 of the EP&A Act, 1979, and found to be satisfactory.

The proposal is permissible with consent in the R2 Low Density Zone and meets the relevant objectives and controls of the LEP.

The material in this Statement of Environmental Effects demonstrates that there will be no unacceptable adverse impacts upon the amenity or environment of the locality as a consequence of the proposed development. The proposed development more than adequately fulfils the underlying intent of the relevant controls applicable to the subject development proposal.

The proposal will not result in any significant loss of privacy to any adjoining or nearby residents and will offer high levels of amenity for the buildings residents.

The completed development will have acceptable impacts in relation to solar access to adjoining residential uses, the topography, micro-climate, air and water quality of the locality.

The site is suitable for the development proposal which will generally have acceptable impacts on both the environment and the amenity of the locality.

Having regard to the circumstances of this case, the proposal is considered to be in the public interest and is worthy of Council's support.

If you require any additional information or clarification of any matters raised in this response, please contact the Applicant in the first instance, or, George Lloyd at GPL Planning on 0423 128 131.



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