

Alterations & Additions to:
Lot 12 DP867302
79b Lauderdale Avenue
NSW 2094

Statement of Environmental Effects (SOEE)



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October 2020

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Forward

Cradle Design has prepared this Statement of Environmental Effects (SoEE) on behalf of the owner of 79b Lauderdale Avenue. It supports a Development Application (DA) to Northern Beaches Council to regularise the use of an existing detached studio.

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

- ☐ *The Environmental Planning and Assessment Act, 1979 as amended.*
- ☐ *The Environmental Planning and Assessment Regulation 2000.*
- ☐ *Manly Local Environmental Plan 2013*
- ☐ *Manly Development Control Plan 2013*

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Appendix A – Site Photographs

This statement should be read in conjunction with drawings DA-00 to DA-12 and all development application documentation submitted to Council.

A Building Information Certificate (BIC) is being simultaneously lodged for the existing detached studio addressing the studios construction and compliance with building code requirements.

1. INTRODUCTION

This Statement of Environmental Effects (SEE) is to accompany a development application (DA) to regularise the use of an existing detached studio situated at 79aLauderdale Avenue, Fairlight, NSW.

The site contains a dual occupancy two storey dwelling. The detached existing studio is not a separate dwelling and is currently a part of the level 1 dwelling area . It will form part of the strata area of the of level 1 dwelling.

No other works are proposed as part of this application. This report outlines the studios compliance with site controls and constraints and reasoning for any variation sought.

Accordingly, there will be no adverse environmental effects from regularising the use at this studio.

A recently determined development application – DA 2020/0470 – for the property approves a new entry structure, staircases and strata for the property.

The intention is to incorporate the existing studio into the pending strata on approval.

2. THE SITE

The subject site has a site area of 640.4m² identified as Lot 12 in DP 867302.



Figure 1 – Site Location Plan (courtesy of google maps)

The site is located on Lauderdale Avenue and is predominantly rectangular in shape with a 2.7m wide driveway which runs past the southern neighbour at 79A Lauderdale Avenue. The existing 2 level dual occupancy dwelling is orientated approximately North/South and has expansive views over North Harbour towards the Sydney Heads. To the East is a 2 story tiled roof residence zoned as “R1 – General Residence” and to the West also a 2 story tiled roof residence, zoned as “E4 – Environmental Living”. To the North boundary is a three storey brick residence which overlooks the subject site. The site falls approximately 13.6m from North to South and sits below the road level by approximately 5.8m.

The subject land is zoned as “E4 Environmental Living” under the Manly Local Environmental Plan 2013.

Locality and Site Context

The existing dual occupancy dwelling is two storey double brick building with a tiled roof in a modern period style. The house is in good condition and has been well maintained. The exterior wall finish is in a painted render.

The property currently is accessed from Lauderdale Avenue via a driveway which runs past No.79A Lauderdale. It has 3 lockable garages, and ample street parking on Lauderdale Avenue. The existing studio sits on top of the existing garages.

There is a mixture of building densities and architectural styles along the length of Lauderdale Avenue. The subject property is located in an area zoned E4 Environmental Living with much of the surrounding building fabric towards the

beach/water being multi-storey homes or units, and on the north side of the street higher rise apartment buildings.

To the north boundary of the subject site is a detached 3 storey brick property with a recently determination DA (REV2020/0006). To the east is a 2-storey brick residence and to the west a 2-storey brick residence with a tiled roof which is largely obscured by tall bamboo.

There is no dominant building style or roof type/form, immediately adjacent to the subject property or along the length of Lauderdale Avenue.

3. EXISTING STUDIO

The existing studio is depicted on drawings DA-00 to DA-13, dated October 2020, prepared by Cradle Design and the survey plan prepared by Total Surveying Solutions.

Key points regarding the existing studio;

- The studio is not a separate dwelling and is currently a part of the level 1 apartment outdoor area. It will form part of the strata area of the of level 1 apartment.
- The studio is located on the northern boundary of the property, on the terrace level, above the existing garages.
- The studio was constructed around the existing pergola structure in order to provide covered private space for the north facing terrace.
- The terrace is currently overlooked by 79a Lauderdale Avenue living, kitchen and bedroom windows (and potential addition of balconies based on determined DA 2020/0006. 77 Lauderdale partially over looks the terrace area.
- The studio;
 - Sits around 13.5m from the western boundary and 1.3m from the eastern boundary.
 - Is approx 3.2m x 5.7m (approx 18m²) in size with a low pitched roof over.
 - Roof height above existing terrace – approx. 2.62m and roof height above ground level below – between 4.5m to 5.5m. This is in keeping with the existing pergola structure on the terrace level.
 - Floor height above rear patio of 79a Lauderdale Avenue approx. 670mm and roof height approx. 3290mm. The studio rear wall has been shown on approved DA plans REV 2020/0006 for 79a Lauderdale Avenue and has no impact on that proposal.
- The existing studio is built up against the existing boundary brick wall with timber screen (shown in appendix A). The brick wall is of similar height to the studio and provides separation to the lower courtyard of 79a Lauderdale Avenue.
- There are existing fences/ screens and trees surrounding the existing studio.
- The studio roof stormwater is connected to the site storm water system.
- The finishes of the proposal are complimentary to, and compatible with dual occupancy dwellings. The external cladding is fibre cement v-groove boards, metal roof sheeting and bi-fold glazed doors (opening onto the terrace)

The studio has minimal impact on neighbouring properties, privacy for users if the level 1 terrace and presents an improved outlook from neighbouring properties to the east and north.

4. STATUTORY PLANNING FRAMEWORK

Manly Local Environmental Plan 2013

Zone E4 Environmental Living

Objectives of zone

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To protect tree canopies and ensure that new development does not dominate the natural scenic qualities of the foreshore.*
- *To ensure that development does not negatively impact on nearby foreshores, significant geological features and bushland, including loss of natural vegetation.*
- *To encourage revegetation and rehabilitation of the immediate foreshore, where appropriate, and minimise the impact of hard surfaces and associated pollutants in stormwater runoff on the ecological characteristics of the locality, including water quality.*
- *To ensure that the height and bulk of any proposed buildings or structures have regard to existing vegetation, topography and surrounding land uses.*

The existing studio meets the objectives of the Zone E4 Environmental Living. This opinion is justified on the basis that:

- The existing studio is not visible from the street, foreshore and most neighbouring properties.
- The existing studio has no impact on any views or lines of sight to the water
- Sits under the existing 3-storey building on 79a Lauderdale, just above the ground level, and behind the existing boundary brick wall (shown in appendix A). The studio also sits within the topography of the sloping land.

6.9 Foreshore scenic protection area

- (1) *The objective of this clause is to protect visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly.*
- (2) *This clause applies to land that is shown as “Foreshore Scenic Protection Area” on the Foreshore Scenic Protection Area Map.*
- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following matters—*
 - (a) impacts that are of detriment to the visual amenity of harbour or coastal foreshore, including overshadowing of the foreshore and any loss of views from a public place to the foreshore,*
 - (b) measures to protect and improve scenic qualities of the coastline,*
 - (c) suitability of development given its type, location and design and its relationship with and impact on the foreshore,*
 - (d) measures to reduce the potential for conflict between land-based and water-based coastal activities.*

The existing studio meets the objectives of Clause 6.9 Foreshore Scenic Protection Area. This opinion is justified on the basis that:

- The existing studio is not visible from the street, foreshore and most neighbouring properties.
- The existing studio has no impact on any views or lines of sight to the water
- Furthermore, due to the existing dense vegetation and existing elevated screening/ landscaping features it is currently not possible to view the existing studio from the public domain.
- There is negligible overshadowing from the existing studio as demonstrated in the Shadow Diagrams accompanying this submission.
- There is considered to be no affect to or any potential conflict between land & water-based activities

Manly Development Control Plan 2013

Part 4 Principle development standards

4.1.1 Dwelling Density, Dwelling Size and Subdivision

Relevant DCP objectives to be satisfied in relation to this part include:

Objective 1) To promote a variety of dwelling types, allotment sizes and residential environments in Manly.

Objective 2) To limit the impact of residential development on existing vegetation, waterways, riparian land and the topography.

Objective 3) To promote housing diversity and a variety of dwelling sizes to provide an acceptable level of internal amenity for new dwellings.

Objective 4) To maintain the character of the locality and streetscape.

Objective 5) To maximise the use of existing infrastructure.

It is considered that the existing studio meets the objectives of Part 4.1.1. This opinion is justified on the basis that:

- The existing studio forms part of the existing level 1 approved strata area. It is not a separate dwelling.
- It is considered that there is no impact on existing vegetation or landscaping from the existing studio. It sits on a terrace with extensive vegetation, planter boxes and potted plants (refer to Appendix A for photographs).
- The character of the locality and streetscape are unaffected by the existing studio.

4.1.3 Floor Space Ratio

Objectives in this plan support the purposes of the LEP in relation to maintaining appropriate visual relationships between new development and the existing character and landscape of an area as follows:

Objective 1) To ensure the scale of development does not obscure important landscape features.

Objective 2) To minimise disruption to views to adjacent and nearby development.

Objective 3) To allow adequate sunlight to penetrate both the private open spaces within the development site and private open spaces and windows to the living spaces of adjacent residential development.

The existing development is compliant with the 0.50:1 FSR control;

- The existing studio forms part of the existing floor space ratio calculations noted in determined DA 2020/0470.

4.1.4 Setbacks (front, side and rear) and Building Separation

Relevant DCP objectives to be met in relation to this part include:

Objective 1) To maintain and enhance the existing streetscape including the desired spatial proportions of the street, the street edge and the landscape character of the street.

Objective 2) To ensure and enhance local amenity by:

- ☐ *providing privacy;*
- ☐ *providing equitable access to light, sunshine and air movement*
- ☐ *facilitating view sharing and maintaining adequate space between buildings to limit impacts on views and vistas from private and public spaces.*
- ☐ *defining and adding character to the streetscape including the provision of adequate space between buildings to create a rhythm or pattern of spaces; and*
- ☐ *facilitating safe and adequate traffic conditions including levels of visibility around corner lots at the street intersection.*

Objective 3) To promote flexibility in the siting of buildings.

The existing studio currently sits on the northern front boundary adjoining 79a Lauderdale Avenue southern boundary.

The non-compliance with the northern boundary control is discussed further in the attached Clause 4.6 – Exceptions to Development Standards report.

4.1.5 Open Space & Landscaping

Relevant DCP objectives to be met in relation to these paragraphs include the following:

Objective 1) To retain and augment important landscape features and vegetation including remnant populations of native flora and fauna.

Objective 2) To maximise soft landscaped areas and open space at ground level, encourage appropriate tree planting and the maintenance of existing vegetation and bushland.

Objective 3) To maintain and enhance the amenity (including sunlight, privacy and views) of the site, the streetscape and the surrounding area.

Objective 4) To maximise water infiltration on-site with porous landscaped areas and surfaces and minimise stormwater runoff.

Objective 5) To minimize the spread of weeds and the degradation of private and public open space

Objective 6) To maximize wildlife habitat and the potential for wildlife corridors

The existing studio has no change to the Total Open Space or landscape of the site.

5. COMPLIANCE WITH SITE CONTROLS

Site information and dual occupancy building controls:	Control	Proposed	Compliance with controls Y/N
Site Area (m2) existing	-	(Existing) 640.4m2	Y
Housing Density (dwelling/m2)	1/300m2	2/640.4m2	Y
Maximum building height (m)	8.5m	Max 5.2m	Y
Number of Storeys	2(existing)	2(existing)	Y
Floor Space Ratio (FSR)	0.50:1	0.50:1	Y
Front building set-back (m)	Complementing existing set-backs	Complementing existing set-backs	Y
Rear dual occupancy building set-back (m)	8m	9.7m	Y
% open space	55% of site area (352.22m2 min)	34%(Existing) (218.5m2)	N
% landscape area	35% of total open space (123.3m2 min)	54%(Existing) (117.8m2)	Y
% open space above ground	25% of total open space (88.1m2 max)	11% (25m2)	Y
Number of car spaces	2 / dwelling	3x Garages	Y
Studio compliance with controls			
Minimum side boundary set-back (m) – East & West	1/3 of building height	1.33m(E) 8.2m(W)	Y
Northern side boundary	1/3 of building height	Built 285mm off boundary	N
Number of Storeys	2(existing)	2(sits above garage)	Y
Maximum building height (m)	8.5m	Varies from 3m to 5.3m	Y

The existing studio is no compliant against the following building controls:

- Boundary setback (north)

Refer to Clause 4.6 Request to vary the **4.1.4. Setbacks and Building Separation** development standard

6. CONCLUSION

The existing studio has no impact on the local area, foreshore or public realm. It has negligible impact on neighbours and whilst built to the boundary on the northern side, is situated by an existing brick wall of similar height and has no impact on the adjacent 79a Lauderdale Avenue.

It provides some privacy to a north facing terrace overlooked by the adjacent dwellings at 79a Lauderdale Avenue.

A building information certificate is being simultaneously lodged for the existing studio

It is therefore considered appropriate for Council to support the DA for use application.

APPENDIX A - Site Photograph's

1. View looking South at bottom of driveway showing timber screening above existing garages screening the existing studio



2. Existing garages & timber screening above (existing studio behind)



3. Existing brick wall (studio behind) between 79A Lauderdale lower courtyard and 79b Lauderdale Avenue (northern boundary).



4. View along eastern boundary between existing studio and neighbouring properties



5. View along eastern boundary between existing studio, existing fence and neighbouring properties



6. Southern elevation of existing studio



7. View west of existing studio and screening



8. View east of existing studio roof eaves and scree towards 77 Lauderdale Ave



9. Studio Interior showing skylight and entry to small bathroom



10. Studio interior



11. View across terrace towards dual occupancy dwelling of 79b Lauderdale Avenue



12. View east towards 77 Lauderdale Avenue past studio towards screening



13. View east towards 75 Lauderdale Avenue along east boundary and screening from existing studio shown on right



14. View along eastern boundary between existing studio, existing fence and neighbouring properties

