

## STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and additions to an existing dwelling

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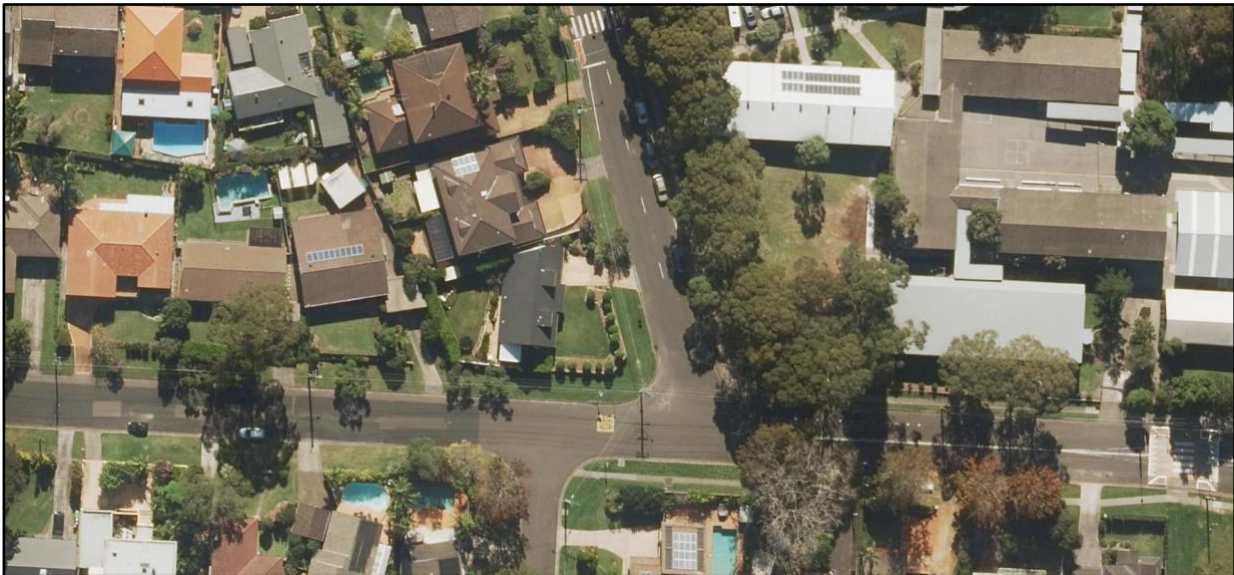
Address:  
1 Cotentin Road, Belrose  
(Lot 1 in DP 237435)

Date:  
20 February 2020

Ref. 7077

## 1. Site and Context

Address	1 Cotentin Road, Belrose
Site Description	Lot 1 in DP237435
Site Area	707sqm
Primary Frontage - Cotentin Road	23.95m (corner splay 4.285m)
Secondary Frontage - Ralston Avenue	28.395m
Rear Boundary	17.79m
Northern Boundary	33.46m
Topography	The site slopes down from the west to east, with retaining walls which form a relatively level rear yard and front yard area.
Site Description	The site is located on the northwestern corner of Cotentin Road and Ralston Avenue. The site contains an existing two storey cape code style dwelling with single car garage. The dwelling is sited so that it addresses the corner location and contains established gardens. The site contains a white timber picket front fence.
Context	<p>The adjoining site to the north contains a large two storey semi-detached development with central common driveway.</p> <p>The development to the east consists of the Belrose Public School. Further to the east along Ralston Avenue is a local neighbourhood shopping centre.</p> <p>The development to the south consists of predominately large two storey detached residential dwelling.</p> <p>The adjoining site to the west contains a single storey detached dwelling.</p>



**Figure 1 – Subject Site**

## **2. Description of Proposal**

The proposal seeks Council's consent for alterations and additions to existing dwelling as follows:

- Ground floor alterations and additions comprising open plan kitchen, living and dining area, relocation of staircase, double garage, WC / laundry and bedroom with ensuite.
- First floor alterations and additions including three bedrooms, secondary living, office, bathroom and ensuite.
- Alterations to dormer windows to incorporate a dormer ended roof form.
- Deck to existing paved outdoor entertainment area.
- Associated fenestration changes.

## **3. State Environmental Planning Policies**

### State Environmental Planning Policy No. 55 (SEPP No. 55) Remediation of Land

According to the provisions of clause 7 of SEPP No. 55 Council must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose that development consent is sought.

Comment - The proposed development involves alterations and additions to an existing dwelling house. In so far as the site has an extended history of residential use, Council may be satisfied that the land is not contaminated and is suitable for the use proposed.

### State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") applies to the proposed development.

Comment - In accordance with the above the application is accompanied by a BASIX Certificate which commits to environmentally sustainable measures.

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

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 applies to non-rural areas of the State inclusive of the subject local government area and aims to (a) protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and (b) preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

Comment - Proposed works do not impact upon any significant vegetation.

#### **4. Warringah Local Environmental Plan 2011**

The site is zoned R2 'Low Density Residential' under provisions of the Warringah Local Environmental Plan 2011 (WLEP). The proposed development relating to alterations and additions to a 'dwelling house' is defined as permissible within the land use table subject to consent.

The objectives of the R2 Low Density Residential zone are:

- *To provide for housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

Comment - The proposed development is for alterations and additions to a dwelling house, utilised for residential purposes and is not considered to prevent zone objectives being achieved.

Following is a summary table indicating performance of the proposal against statutory standards:

<b>Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>CI 4.3 - Building Height</b>		
Site located in Area 'I' of the Building Height Map which prescribes a maximum building height of 8.5m.	Max. height – 7.3m (same as existing)	✓
<b>CI 5.10 - Heritage Conservation</b>		
Development consent is required for any of the following:  (a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,  (b) altering a heritage item that is a building by making structural changes to its interior  (c) disturb or excavate an archaeological site while knowing, or having reasonable cause to suspect,	Site is not listed as a heritage item nor is it in a conservation area.	✓

<p>that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land which is a heritage item or that is within a heritage conservation area,</p> <p>(f) subdividing land which is listed as a heritage item or that is within a heritage conservation area.</p>		
<b>CI 6.4 - Development on Sloping Land</b>		
<p>Subject site is located within land shown as Area A 'Slopes &lt;5' on the Landslip Risk Map. Sub clause (3) requires that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the application for development has been assessed for the risk associated with landslides in relation to both property and life,</p> <p>(b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site,</p> <p>(c) the development will not impact on or affect the existing subsurface flow conditions.</p>	<p>The proposal relates to alterations and additions to an existing dwelling house with no change to the existing ground conditions.</p>	✓

## 5. Warringah Development Control Plan

The proposed development is affected by the provisions of the Warringah Development Control Plan (WDCP). Following is a summary compliance table indicating the performance of the proposal against relevant development controls:

Requirement	Proposed	Compliance
<b>Part B - Built Form Controls</b>		
<b>B1 Wall Height</b> <p>1. Walls are not to exceed 7.2m from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space).</p>	5.8m	✓
<b>B3 Side Boundary Envelope</b> <p>1. Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited in a building envelope determined by projecting planes 45 degrees from height above ground level (existing) at side boundaries of - 4m.</p>	<p>Slight exceedance of existing wall and roof form.</p> <p>Proposal remains consistent with the existing encroachment.</p>	X, see discussion below
<b>B5 Side Boundary Setbacks</b>		

1. All land in R2 zone: - 0.9m	North – 1m	✓
<b>B7 Front Boundary Setbacks</b> 1. Development is to maintain a minimum primary front setback of 6.5m 2. Development is to maintain a minimum secondary setback of 3.5m	5.6 – 14.1m  4.9m	X, see discussion below ✓
<b>B9 Rear Boundary Setbacks</b> 1. All other land under R2: - 6m	10.2m	✓
<b>Part C - Siting Factors</b>		
<b>C3 Parking Facilities</b> 4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause.  <b>Dwelling Houses</b> - 2 spaces per dwelling	2	✓
<b>Part D - Design</b>		
<b>D1 Landscaped Open Space and Bushland Setting</b> 1. Minimum area of landscaped open space shown on DCP Map Landscaped Open Space & Bushland Setting (40%)	52%	✓
<b>D2 Private Open Space</b> 1. Residential development is to include private open space for each dwelling. 2. The minimum area and dimensions of private open space for dwelling houses (including dual occupancy) and attached dwellings with 1 or 2 bedrooms is 35m <sup>2</sup> with minimum dimensions of 3m. Dwelling houses with 3 + beds require 60m <sup>2</sup> and minimum 5m dimensions. 3. Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play. 4. Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development.	No change or reduction to existing private open space area which satisfies these requirements	✓

<p>5. Private open space shall not be located in the primary front building setback.</p> <p>6. Private open space to be located to maximise solar access.</p>		
<p><b>D6 Access to Sunlight</b></p> <p>1. Development should avoid unreasonable overshadowing any public open space.</p> <p>2. At least 50% of required area of private open space of each dwelling and at least 50% of required area of private open space of adjoining dwellings are to receive a min.3 hours of sunlight between 9am &amp; 3pm (June 21)</p>	<p>The subject site does not adjoin public open space.</p> <p>Noting orientation of site and proposed setbacks, compliant solar access is retained.</p>	<p>✓</p> <p>✓</p>
<p><b>D7 Views</b></p> <p>1. Development shall provide reasonable view sharing</p>	<p>Noting the context of the site, an appropriate and desirable level of view sharing has been provided.</p>	<p>✓</p>
<p><b>D8 Privacy</b></p> <p>1. Building layout should be designed to optimise privacy for occupants of development and adjoining properties.</p> <p>2. Orientate living areas, habitable rooms and windows to private open space areas or to street to limit overlooking</p> <p>3. Effective location of doors, windows and balconies to avoid overlooking is preferred to use of screening devices.</p> <p>4. The windows of one dwelling are to be located so they do not provide direct or close views (i.e. from less than 9 metres away) into the windows of other dwellings.</p>	<p>Building layout is considered acceptable, noting window placement.</p> <p>No overlooking is foreseen.</p> <p>As detailed above.</p> <p>Considered acceptable.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
<p><b>D9 Building Bulk</b></p> <p>1. Side and rear setbacks are to be progressively increased as wall height increases.</p> <p>2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.</p> <p>3. On sloping land, the height and bulk of development (particularly on downhill side) is to be minimised and need for cut and fill reduced by designs which minimise building footprint, allow building to step down slope.</p>	<p>Wall height not significant.</p> <p>Effectively articulated.</p> <p>Height and bulk of dwelling is acceptable noting extent of alterations and additions.</p>	<p>✓</p> <p>✓</p> <p>✓</p>



4. Building height and scale needs to relate to topography and site conditions.	As detailed above.	✓
6. Use colour, materials and surface treatment to reduce building bulk.	Finishes are appropriate.	✓
7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.	Existing landscape retained.	✓
8. Articulate walls to reduce building mass.	Sufficient articulation provided noting provision of openings.	✓
<b>D10 Building Colours and Materials</b>		
3. The colours and materials for alterations and additions to an existing structure shall complement the existing external building façade.	Materials selected to complement existing colour pallet of dwelling.	✓
<b>D11 Roofs</b>		
2. Roofs should complement the roof pitch and forms of the existing buildings in the streetscape.	A simple low-pitched skillion is proposed to the rear to integrate into the design of the existing dwelling.	✓
4. Roofs shall incorporate eaves for shading.	Shading provided in accordance with BASIX certificate.	✓
5. Roof materials should not cause excessive glare/reflection	No adverse glare foreseen.	✓
<b>Part E - The Natural Environment</b>		
<b>E10 Landslip Risk</b>		
<p>1. The applicant must demonstrate that:</p> <ul style="list-style-type: none"> <li>The proposed development is justified in terms of geotechnical stability; and</li> <li>The proposed development will be carried out in accordance with good engineering practice.</li> </ul> <p>2. Development must not cause detrimental impacts because of stormwater discharge from the land.</p> <p>3. Development must not cause detrimental impact on existing subsurface flow including of other properties.</p> <p>ii) For land identified as being in Area B or Area D: A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified geotechnical engineer/</p>	The proposal relates to alterations and additions to an existing dwelling house with no change to the existing ground conditions.	✓



engineering geologist and must be submitted with the development application.		
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### B3 Side Boundary Envelope

As demonstrated in the extracts below the encroachment outside the side boundary envelope is consistent with the existing encroachment and is the result of the angled side boundary and orientation of the existing dwelling towards the corner. The first floor wall of the master bedroom has been squared to ensure the encroachment is minimised.

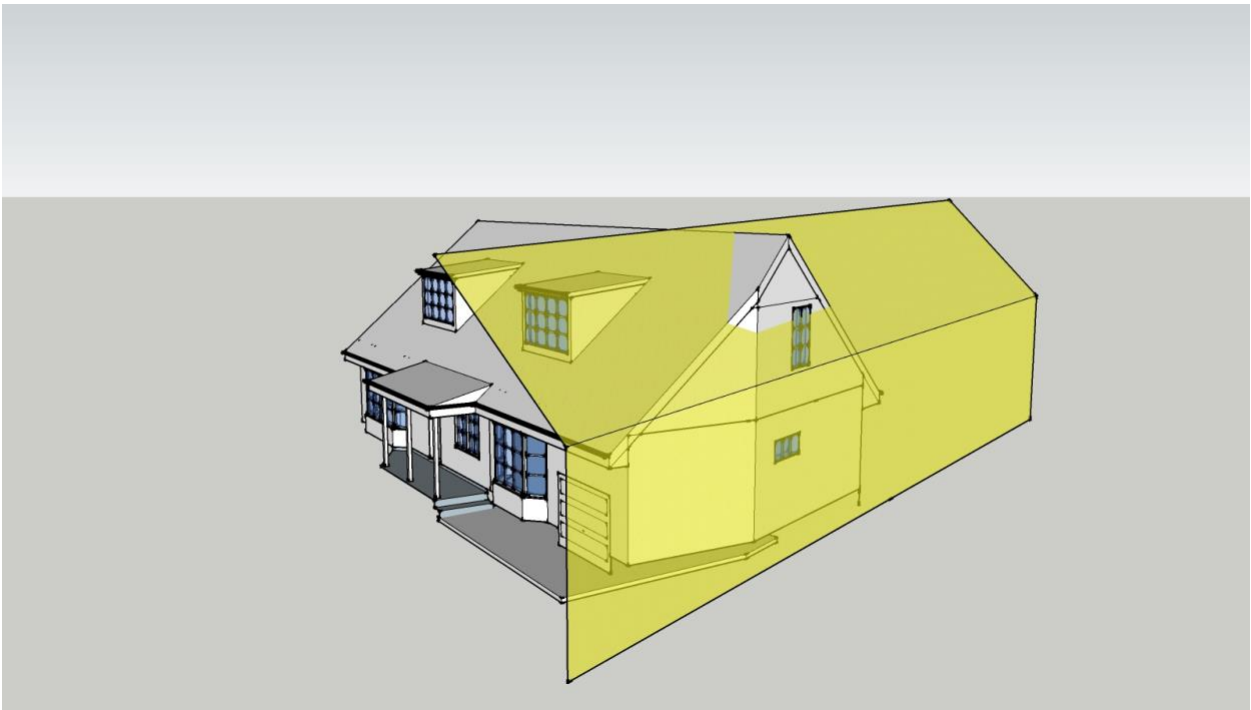


Figure 2 – North side boundary envelope - Existing

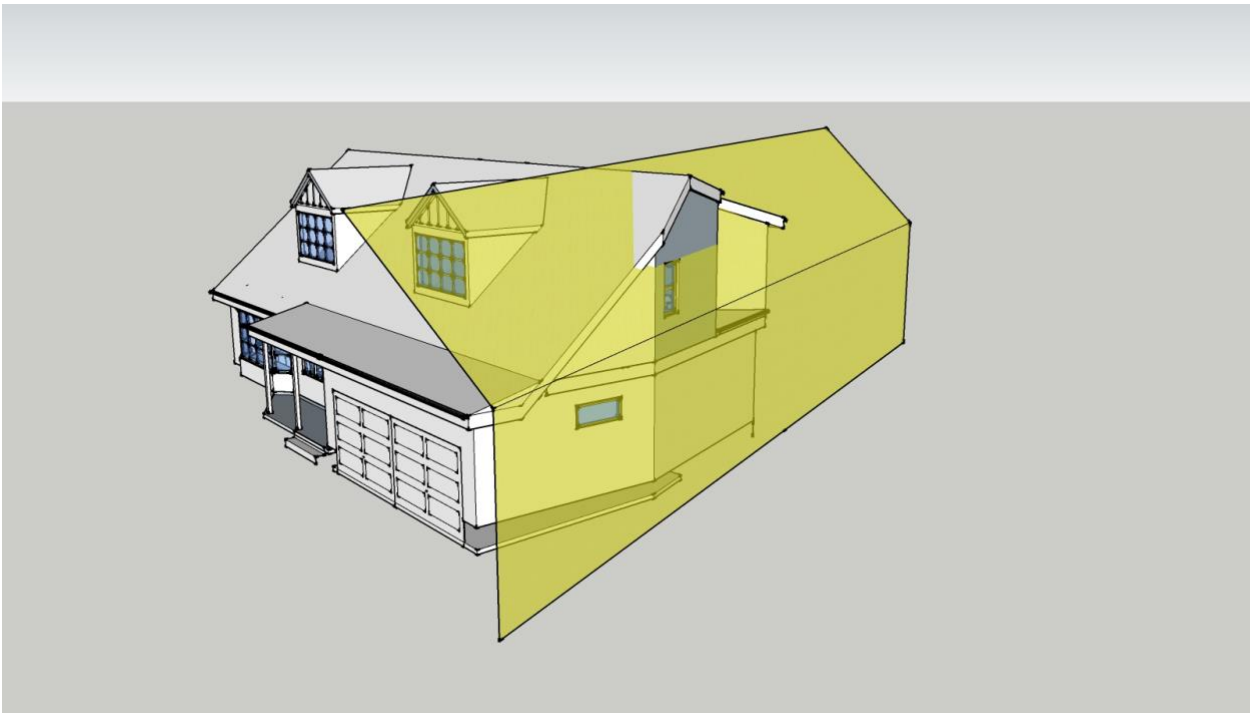


Figure 3 – North side boundary envelope – Proposed

The above demonstrates that the encroachment is minor and as such satisfies the exemptions section of this control which states that:

*Consent may be granted for the addition of a second storey to an existing dwelling house that to a minor extent does not comply with the requirement of this control.*

The proposal satisfies this exemption and variation to side boundary envelope control is considered to be reasonable and well founded.

#### B7 Front Boundary Setbacks

The site is located on a corner with a frontage of 23.95m narrowing to 17.79m at the rear boundary. The shape of the allotment has lead to the dwelling being designed and orientated at a angle to Contentin Road so that it addresses its prominent corner location. This results in the proposal having a front setback of 5.6m at the northeastern garage corner and 14.1m at the southeastern corner and a minor non-compliance with the 6.5m setback, however, this is unique to the circumstances of the site.

The proposed double garage, which results in the minor breach, will be integrated into the front façade of the dwelling and has been designed so that it will not extend forward of the existing alignment that is formed by the leading edge of the covered entry area. The roof of the entry will extend across the garage and incorporate an eave which casts shadow across the façade of the garage. This design ensures that the garage respects the design of the existing dwelling and visually reads as an original element.

The proposal is consistent with the objectives of the control as follows:

- *To create a sense of openness.*

Comment: The proposal will not impact on the sense of openness with the original alignment of the dwelling unaltered. The landscape setting formed by the existing established gardens and orientation of the dwelling towards the corner is maintained.

- *To maintain the visual continuity and pattern of buildings and landscape elements.*

Comment: As discussed above, the shape of the site has lead to the dwelling being designed and orientated at a angle to Contentin Road so that it addresses its prominent corner location. The proposed design maintains the existing alignment as it does not extend forward of the leading edge of the entry area. The proposal is considered to maintain the visual continuity and pattern of buildings with no change to landscape elements.

- *To protect and enhance the visual quality of streetscapes and public spaces.*

Comment: The proposal will not alter the visual quality of the streetscape or public spaces. The adjoining site to the north is elevated and due to the low single storey height of the garage and integration into the design of the existing dwelling it will not be visible an one the boundary fence. Due to the angle of the side boundary it will be setback 2 – 2.5m from the northern boundary. The proposal ensures that the pattern of the development within the streetscape remains and there is no impact on any public spaces.

- *To achieve reasonable view sharing.*

Comment: The proposal will not result in an view loss or change to the outlook from the adjoining properties.

It is considered that the proposal satisfies the objectives of the front boundary setback control and given the merits of this application, variation to this control would be reasonable and well founded.

## **6. Likely Impacts of the Development**

### Impact on the natural environment:

The proposed development will not have any adverse impact on the natural environment, noting that the site has been previously developed for residential use and is in an established residential area.

### Impact on the built environment:

The proposed dwelling has been assessed against the design provisions contained in the Warringah Local Environmental Plan 2011 and Development Control Plan and provides an appropriate level of compliance as demonstrated within this statement.

From a streetscape perspective, the dwelling will provide an improved appearance through the introduction of dormer roof end elements to the existing dormer windows. The dwelling retains it

presentation towards the corner with the garage designed to integrate into the design of the existing dwelling. The rear addition retains the existing ridge height with sympathetic materials and colour finishes.

The general bulk / scale is also considered reasonable and responds to the site, noting only a small increase to the building footprint, maximum height of 5.7m and suitable setbacks to the side and rear boundaries. Form and finishes are also considered acceptable in context noting eclectic mix of surrounding built form.

Further, no unreasonable amenity impacts in the form of overshadowing, privacy or views loss towards surrounding properties, noting appropriate bulk and scale previously discussed.

Social and Economic impacts in the locality:

The proposal will not have any adverse social / economic impacts noting the location of the site within an established residential area.

**7. Suitability of the Site for the Development Proposed**

The proposed development has been assessed against applicable planning provisions. Having regard to the assessment contained within this report it is considered that the site is suitable for the intended development.

**8. The Public Interest**

The proposed development is consistent with the objectives of the Environmental Planning and Assessment Act insofar as it promotes the co-ordinated and orderly, and economic use and development of the land. The development is consistent with the public interest.

**9. Conclusion**

The proposed development has been assessed in accordance with Section 4.15(1) of the EP & A Act 1979 and Council's planning instruments. It is a permissible land use under the Warringah Local Environmental Plan 2011 and in our opinion, is consistent with relevant objectives.

Further, the development performs adequately in terms of its relationship to surrounding built and natural environment, particularly in relation to likely impacts upon surrounding properties.

Consequently, the proposal is considered acceptable from an environmental planning perspective and should be supported by Council, subject to appropriate conditions of consent.