

# **Statement of Environmental Effects**

**Proposed alterations and additions to existing Dwelling**

**At**

**50A Pacific Parade  
Manly**

**For**

**Niall Magee**

**Statement prepared by  
Norm Fletcher  
Town Planning/Development Consultants**

**31 Oceanview Terrace Port Macquarie**

**NSW 2444**

**Mob 0408 024 973**

**[nfletch@bigpond.net.au](mailto:nfletch@bigpond.net.au)**

*Note: This document is Copyright. Apart from any fair dealings for the purpose research, private study or review, as permitted under the Copyright Act, no part may be produced either in whole or part without the written permission of Norm Fletcher.*

**February 2020  
Issue C**

## **Contents**

<b>1) Introduction.....</b>	<b>3</b>
<b>2) Proposal.....</b>	<b>4</b>
<b>3) Locality and adjoining developments.....</b>	<b>6</b>
<b>4) Site Analysis.....</b>	<b>6</b>
<b>5) Planning Controls that apply to the locality and site.....</b>	<b>7</b>
<b>5.1 Manly Local Environmental Plan 2013.....</b>	<b>7</b>
<b>5.2 Manly DCP 2013.....</b>	<b>10</b>
<b>6) Planning Matters for Consideration.....</b>	<b>17</b>
<b>7) Conclusion.....</b>	<b>18</b>

## **1. Introduction.**

This Statement of Environmental Effects is submitted in support of a development application on behalf of the owner Niall Magee.

The property is known as Lot 1 Section DP 58928 Number 50A Pacific Pie Manly in the Northern Beaches Local Government Area.

The site is occupied by a two storey dwelling that has a common party (west side) wall with number 50 Pacific Parade Manly and could be considered to be a Terrace style dwelling that is consistent with the style of residential development in the immediate locality.

The site has an area of 201.20 square metres and has a slight with a slight fall to the rear.

The site has a front boundary of 6.19 m and the rear boundary of 4.905.

The eastern side boundary is 36.575 m and the western side boundary is stepped where it adjoins number 50 (common wall between dwellings) being approximately 35.185 m.

There is a small shed in the rear yard with existing plantings and landscaping at both the front and rear sections of the property.

The application as submitted proposes internal changes to the ground floor areas and an increase in the floor area at the first floor level.

In addition to this Statement of Environmental Effects, the proposal is described in the following supporting plans documentation submitted with the Development Application.

- Architectural Plans prepared by High Design Architectural Drafting Service Drawing Numbers 1, 2, 2a-2 856 19 HD dated Jan 2020
- Survey report prepared by Waterview Survey Services ref 984 detail 1 dated 19/06/2019
- Flood Impact review prepared by Michal Korecky dated 10<sup>th</sup> February 2020
- Basix Report prepared by Sustainability-Z P/L dated 23<sup>rd</sup> January 2020

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the current type of development in the locality.

It provides an assessment of the proposed development against the heads of consideration as set out in Part 4 and Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development on the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

## **2. Proposal.**

The proposal is for, and seeks approval for internal reconfiguration of the ground floor areas with a new front entrance and alterations and additions to the first floor area and new sheet metal roof to match the existing roof profile and colours.

The floor plan layout for each level with the new works will provide the following:

- Ground floor

New front entrance

Living room

Entrance hall way

New internal stairway to first floor

Bathroom/laundry

Kitchen

Lounge area that opens onto the rear yard via existing small deck

The existing fire place will be removed and a new skylight will be located above the entrance hall way.

- First floor

New master bed room with ensuite

Balcony at the front elevation accessed from the master bed room

Bath room

Bed room 2

Bed room 3

Each room will have inbuilt wardrobes

Internal stairway to ground floor

- External

The areas where the new external walls are provided will be clad with weather boards to match the existing external walls.

There is proposed to provide new sheet metal roofing to match the existing roof.

The storm water will be connected to the existing system.

The small seat and timber path way from the front boundary will be removed and the area be reinstated for soft landscaping.

*View of existing dwelling from the street frontage (eastside)*



*View of 50 and 50A Pacific Pde from the street (west side)*



### **3. Locality and adjoining area.**

The immediate locality is a residential area with individual dwellings that range from single storey and two storey buildings.

The area is a residential area and significant number, of the older style dwellings have undergone recent renovations that include first floor additions.

The adjoining properties on both the eastern and western sides are dwellings that have direct frontage to Pacific Parade.

The properties directly opposite on the southern side of the road are a mixture of single and two storey dwellings of varying architectural styles.

Pacific Parade is tree lined with established large trees interspersed with on street car parking.

The Andrew Boy Charlton Swimming Pool and Grahams Reserve is a short walking distance to the west of the property located on Balgowlah Road.

Pittwater Road the main traffic route to the Manly CBD is north of the site via Balgowlah Road and to the East via Pacific Parade and Pine Street.

The site is in close proximity to bus routes travelling along Pittwater Road to Manly the main business centre for the area and also a short walking distance to the North Steyne Beach to the East.

### **4. Site Analysis.**

The site where is proposed is located northern side of Pacific Parade that is interconnected to Balgowlah Road to the west and Pine Street to the east.

The site has an area of 201.2 square metres and would be considered to be similar in size to a number of other small allotments that are found in the immediate locality.

The site has a fall from the front to the rear boundary of approximately 400 mm would be considered to be relatively level.

The proposal will require the removal of the existing roof to allow for the new first floor addition and minor internal demolition and reconstruction of some sections of the existing building at ground floor level to allow for the new proposal.

The new works should not require any major site excavations as it is anticipated that the existing building structure can support the new works.

The property has a North South orientation with the prevailing wind direction during spring and summer from the North East and South West in autumn and winter.

There are no easements or other structures that restrict the proposed development.

The site is identified on Councils mapping system as being affected by flooding and acid sulphate soils.

The adjoining street frontage is identified in the MLEP 2013 as a Heritage Item Landscaped. The proposal will not impact on the Landscape setting of the Street nor will it require any alteration to the established tree plantings in the street adjacent to the site.

The rear yard of the site is landscaped with a small existing shed and the area will be retained undisturbed with the proposal.

The stormwater from the proposal will be connected to the existing drainage system.

The proposed new works will not require the removal of established trees.

The site is already provided with all the necessary services for a dwelling and the proposal should not require any major upgrade of the existing services.

There is no existing car parking on the property, as the existing dwelling is located towards the front of the site and also the site area and width limit the opportunity to provide onsite car parking.

There is on street parking to residents in the locality as permitted by the Northern Beaches Council local resident's car parking permit system.

## **5. Planning Controls that apply to the Locality and the Site.**

### **❖ 5.1 Manly Local Environmental Plan 2013**

The relevant parts of the Manly LEP 2013 and Clauses that apply to the proposal are reviewed and comments indicating how the relevant objectives are addressed are as follows:

- ***Land use Table***

#### ***Zoning***

The site is within the R1 Residential General Zone as identified in the Manly Local Environmental Plan 2013.

The proposed development is for alterations and additions to the existing dwelling.

The new works are ancillary to the existing dwelling and is permitted in the R1 Residential Zone with the consent of Council.

- ***Building Height***

**Clause 4.3 is the Height control requirement and refers to the Height Map.**

The map indicates that for the area is 8.5 m is the maximum permissible and the new additions to the existing dwelling will not exceed the height control requirements. (See architectural plans)

- ***Floor space ratio***

**Clause 4.4 Floor Space Ratio (FSR)**

The Floor Space Ratio as indicated on the MLEP 2013 map for the site is 0.60:1.

The proposal has a Floor Space Ratio of 0.66:1 being a departure from the control.

The Floor Space ratio Objective is to:

- To ensure the bulk and scale of development is consistent with the existing and desired streetscape character,
- To control building density and bulk in relation to a site area to ensure that development does not obscure important landscape and townscape features,
- To maintain an appropriate visual relationship between new development and the existing character and landscape of the area,
- To minimise adverse environmental impacts on the use or enjoyment of adjoining land and the public domain,
- 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

***Comment***

The proposal has been designed to fit on the existing dwelling foot print and also be generally consistent with the bulk and scale of other residential developments in the locality particularly the adjoining property at 50 Pacific Parade.

The new additions when viewed from the street level and adjoining properties will present as a first floor addition and will not create an excessive impact on the adjoining streetscape.

It is considered that the minor departure to the FSR control does not create a situation where the proposal is in conflict with the objectives of Clause 4.4 and a Clause 4.6



submission accompanies this Statement of Environmental Effects that seeks concurrence to the variation as proposed.

- ***Heritage***

#### **Clause 5.10 Heritage conservation**

The objectives of this clause are as follows:

- To conserve the environmental heritage of Manly,
- To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- To conserve archaeological sites,
- To conserve Aboriginal objects and Aboriginal places of heritage significance.

#### ***Comment***

The Manly LEP 2013 indicates in Schedule 5 Environmental Heritage that the Street Trees are a Heritage Landscape Item.

The proposal will not require any removal or pruning of the Street Trees adjoining the site and will meet with the objectives of Clause 5.10 of the MLEP 2013.

#### **Clause 6.1 Acid Sulphate Soils**

The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

#### ***Comment***

The proposed works will not require any significant site excavation works or disturbance to the ground levels.

The MLEP 2013 indicates the site is identified as being within the Class 3 – 4 area Acid Sulphate Soils that refers to excavations more than 2 to 3 metres below ground level that would lower the water table.

Therefore as there will be no site excavations with the proposal it is reasonable to assume that there will be no impact on the existing water table and therefore the proposal meets with the objectives of Clause 6.1 in the MLEP 2013.

#### **Clause 6.3 Flood Planning**

The site is indicated to be located in an area where flood planning should be considered with any development.

The objectives of this clause, is to:

- Minimise the flood risk to life and property associated with the use of land,
- Allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
- Avoid significant adverse impacts on flood behaviour and the environment.

***Comment***

The proposal being alterations and additions to an existing dwelling are located above the existing dwelling footprint on the site.

The development application includes a Flood Risk Assessment prepared by Michal Korecky that indicates the proposal will not have any greater impact on the flood behaviour that already occurs in the locality.

It is considered that the proposal does meet with the intent of the objectives of Clause 6.3 in the MLEP 2013.

**❖ 5.2 Manly Development Control Plan 2013**

The relevant parts of the Manly Development Control Plan that would apply to the proposal are identified in Section 3 (General Principles) and 4 (Development Controls and Development types) of the Plan.

**Clause 3.1.1 Streetscape (residential areas)**

The proposal does not alter the existing established building set backs on the site as the works are generally restricted to the existing building foot print.

The new works will incorporate an extension at the first floor level towards the front above the existing ground floor level. The front set back to the first floor area does not extend beyond the existing ground floor front set back and the balcony at the front on the first floor level is consistent with the adjoining dwelling at 50 Pacific Parade.

It is considered that the extension to the first floor level to the front will ensure that the proposal will be consistent with the existing streetscape for the immediate locality.

The external finishes will match the existing building and the built form is not out of character with the adjoining and adjacent residential properties.

***Comment***

It is considered that the proposal will ensure that the works will complement the residential dwellings in the locality and will not dominate the streetscape.

### **Clause 3.1.1.3 Roofs and Dormer windows**

The new roof incorporates a design that includes windows at the rear northern elevation, along the eastern side and at the front southern elevation.

The front roof design is consistent in bulk and scale in regards to the profile it will present to the street and also fits with the adjoining property at 50 Pacific Parade.

The new first floor addition should not impact on the views presently provided to the adjoining and adjacent residential properties.

#### ***Comment***

It is considered that the roof form will meet with the design control of this clause.

### **Clause 3.4.1 Sunlight Access and Overshadowing**

The application includes shadow solar access plans that indicate there will be an increase in shadow effect on the adjoining property being number 48 Pacific Parade.

#### ***Comment***

The submitted plans indicate that the proposal will meet with the control requirements and will not eliminate more than one third of the existing sunlight presently afforded to that premises.

### **Clause 3.4.12 Maintaining Solar Access into Living Rooms of adjacent properties.**

The proposal does increase the length of shadow over the property at 48 Pacific Parade.

The properties at 48 and 50A Pacific Parade have a North South orientation and the area where the main impact for shadow increase will be at the front yard of 48 Pacific Parade(See shadow diagrams 3.00 pm).

#### ***Comment***

The submitted plans indicate that the impact should be acceptable in regard the control requirements in maintaining a level of solar access to the building living areas as required for a dwellings with North South orientation.

The rear sections of the adjoining dwellings being 50 and 48 Pacific Parade will still retain the existing solar access particularly the open space and landscape areas.

### **Clause 3.4.2 Privacy and security**

The design includes the provision of replacement new highlight windows to the new bathroom, new bedrooms (previous TV Room) and the internal stairway on the first floor level eastern side.

The rear windows on the northern side first floor level will also be highlight style windows.

The rear balcony has a privacy screen on the western side so as to limit direct viewing onto the adjoining property.

#### ***Comment***

The change in use to the TV Room on the first floor area at the rear with the provision of highlight windows on the eastern side and the rear northern elevation will ensure that a reasonable level of privacy can be maintained to the adjoining residential properties.

The rear balcony has a privacy screen on the western side to maintain a reasonable level of privacy to the adjoining property.

The front first floor elevation facing the street will include a balcony that is accessed from the main bed room and will only provide viewing opportunities to the street frontage and that will enable it when used to be capable of providing casual surveillance of the adjoining street.

### **Clause 3.4.3 Maintenance of Views**

The proposal is for ground floor alterations and additions at the first floor to an existing dwelling on a narrow property.

The site is level and the adjoining and adjacent properties would not have any significant distance views across the property and the new proposal.

#### ***Comment***

It is considered that the proposal meets with the intent of Clause 3.4.3 regarding maintenance of views.

### **Clause 3.5 Sustainability**

The application is supported with a BASIX assessment and Certification Certificate that relates to the energy efficiency and thermal performance requirements to be applied to the new and existing portions of the dwelling.

#### ***Comment***

The design of the proposal and the materials to be used in the new works will meet with the requirements of the BASIX Certificate.

### **Clause 3.5.5 Landscaping**

The proposal does not alter the existing landscape area provided on the site that is located largely in the rear yard.

The front landscaping provision will be improved with the removal of the old veranda at ground level. The existing landscape area is 59.5 sq/m and the new proposal will provide 61.5 sq/m.

#### ***Comment***

The landscape area will be marginally increased and it will allow for ample useable outdoor open space that will be a benefit to the occupants.

### **Clause 3.7 Stormwater Management**

The site is identified as being in an area that maybe subject to flooding.

The proposal will not increase the hard surface or rainwater run-off from the site and the new down pipes will be connected to the existing stormwater system.

#### ***Comment***

The proposed new additions are either contained within or above the existing building foot print.

It is not anticipated that there will be an increase in discharge from the proposal and any new roof drainage system can be connected to the drainage system as currently exists and service's the property.

#### **Clause 4.1 Residential Development Controls**

This clause provides objectives to be met with residential development generally within R1, R2, R3, E3 and E4 Zones as indicated in the MLEP 2013.

The site is located within the R1 General Residential Zone and the proposal is permitted being alterations and additions to an existing dwelling that is designed to address the Residential Development Controls as indicated in the following clause reviews.

##### **Clause 4.1.1 Dwelling density and subdivision**

The proposal does not include the subdivision of the land as the proposal is for alterations and additions to an existing dwelling on a residential allotment. The residential density for the locality as indicated in the MDCP Schedule 1 is one unit per 250 s/m of site area.

##### ***Comment***

The site area is 201.2 sq/m and that does not meet with density control, however it is an existing allotment occupied by a single dwelling and compliance with the density control should not be applicable.

##### **Clause 4.1.2 Height of Buildings**

The overall height of the building has increased with the new top floor addition and will have external wall heights of 6.06 m at the highest point above the existing ground level on the eastern side.

##### ***Comment***

The new first floor addition will increase the existing building height due to the changes to the first floor level ceiling height however it is below the overall height control of 8.5 m. (See architectural plans).

The new addition includes a new balcony and gable end roof design at the front elevation that is similar to the adjoining dwelling at 50 Pacific Parade and will not be out of character to other dwellings in the locality when viewed from the adjoining public places and properties.

#### **Clause 4.1.2.2 Number of storeys**

The control indicates that the number of storeys should not exceed 2 except where specific site constraints warrant an exception to variations maybe considered.

#### ***Comment***

The number of storeys is 2 and the first floor level extension is considered to be an acceptable addition to the existing dwelling, and the overall height is consistent with the adjoining dwellings and fits with the bulk and scale of other dwellings in the immediate locality.

#### **Clause 4.1.3 Floor Space Ratio**

The proposal exceeds the floor space ratio control marginally, and a Clause 4.6 submission is included in this Statement of Effects that seeks a variation to the standard as the departure is minimal and the impact is not such significance that it would be detrimental to the existing residential character of the locality.

#### **Clause 4.1.4 Set backs and building separation**

There are 5 objectives in this clause that are required to be met.

The objectives are as follows:

##### **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; and*

*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*

*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*

Objective 4)

*To enhance and maintain natural features by:*

*Accommodating planting, including deep soil zones, vegetation consolidated across sites, native vegetation and native trees;*

*Ensuring the nature of development does not unduly detract from the context of the site and particularly in relation to the nature of any adjoining Open Space lands and National Parks; ensuring the provisions of State Environmental Planning Policy No 19 - Urban Bushland are satisfied.*

Objective 5)

To assist in appropriate bush fire asset protection zones

***Comment***

The proposal is for a first floor addition above an existing dwelling that includes internal reconfiguration of the ground floor and the rear section of the existing first floor level.

The established eastern side and northern rear set-backs have not altered with the proposal.

The front set and also the separation between adjoining properties is unchanged.

***Comment***

It is considered that as the design has maintained the existing boundary set-backs it does meet with the intent of the objectives 1, 2, 3 and 4.

Objective number 5 is not relevant to the proposal.

**Clause 4.1.51 Minimum Residential Open space requirements**

The proposal does increase the available open space at the front of the site and there is no change to the rear yard area or landscaping provision on the property.



#### **Clause 4.1.7 First Floor and Roof Additions**

The proposal includes an extension to the front section of the first floor level and changes to the existing roof at the rear first floor section.

The presentation of the dwelling with the first floor additions will appear at the front as a two storey dwelling that fits with the adjoining dwelling at number 50 Pacific Parade.

#### ***Comment***

The site is a small allotment in both area and boundary dimensions and it is considered that the alterations and additions will provide a two storey building that is consistent in regard to bulk and scale with the adjoining properties.

The proposal when completed and viewed from Pacific Parade will appear as two storey dwelling with balcony at the front first floor level, will fit with the adjoining dwelling at 50 Pacific Parade that has a common wall between both properties.

### **6. Planning Matters for Consideration.**

Council must have regard to Section 4.15 of the Environmental Planning and Assessment Act, 1979 before consent is granted.

The matters to be considered are addressed as follows.

The extent which the proposed development complies with the R1 Residential Zone requirements of the Manly Local Environmental Plan 2013 and the relevant parts of the Manly Development Control Plan.

#### **The likely Impacts of the Development**

The new works are for alterations and additions to an existing dwelling that includes a first floor extension and change to the roof design.

It is considered the proposal will be consistent in regard to bulk, scale and design of other residential buildings in Northern Beaches Local Government Area.

The proposed works are considered not to be of such significance to have any unacceptable impact on the locality or amenity of adjoining properties.

#### **Suitability of the site**

The site is presently used for residential purposes with a two storey dwelling and the new works will provide increase internal living space whilst maintaining the existing landscape and open space areas on the property.

It is considered that the site is suitable for the proposed works as identified on the submitted architectural plans.

**Impact on the Built Environment**

The proposal will have minimal impact on the built environment and consistent with other residential developments in the immediate locality.

**Social Impact**

The proposal will provide increase useable residential floor space for the occupants of the site.

The proposal will not be in conflict with the residential character of the locality and also will provide an improved benefit to the occupants of the dwelling.

**Public Interest**

The proposal is not considered to be in conflict with the Manly Local Environmental Plan 2013 and the design generally meets with the principles and aims of the Manly Development Control Plan and the approval of the proposal would be in the Public Interest.

**7. Conclusion.**

It is recommended to Council that consent be granted to the proposal subject to appropriate conditions relevant to the proposal being applied to the consent.



**Norm Fletcher.**  
**MEIANZ**

