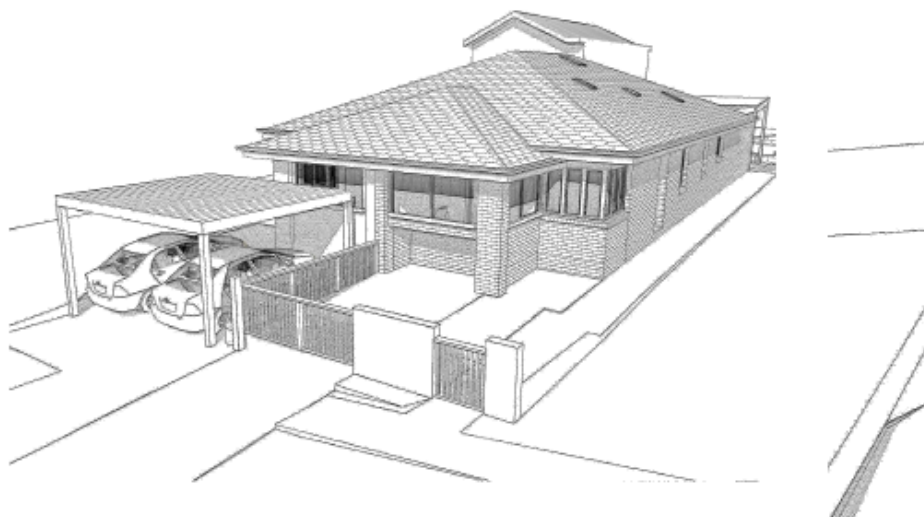


STATEMENT OF ENVIRONMENTAL EFFECTS

40 BELLEVUE STREET, FAIRLIGHT

**PROPOSED DWELLING ALTERATIONS, CARSPACE AND
FRONT FENCE**

**PREPARED ON BEHALF OF
SketchArc**



FEBRUARY 2025

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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 12 in DP 232985 which is known as **No. 40 Bellevue Street, Fairlight**.

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.

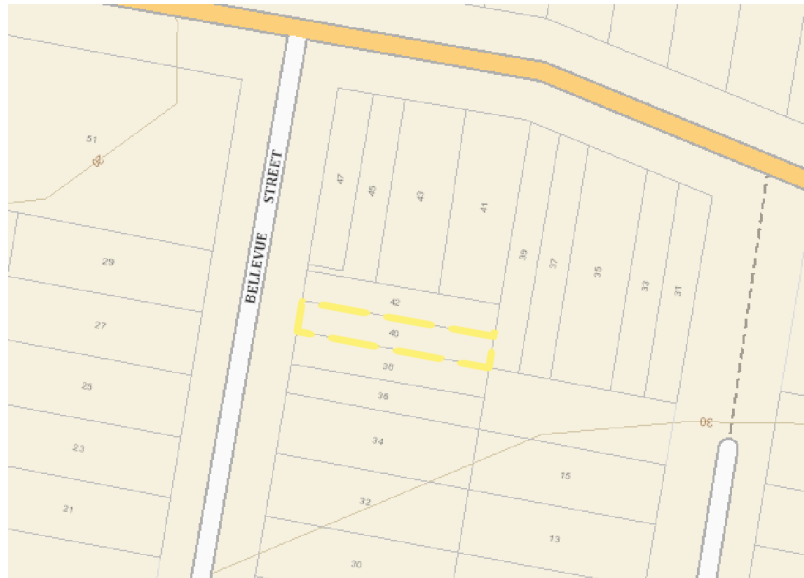
The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Altitude Surveys, Ref No. 23009 and dated 01/02/2023.
- Architectural Plans prepared by SketchArc, Project No. 2448 and dated 28/02/2025.
- Arboricultural Impact Assessment prepared by Peake Arboriculture and dated 26/02/2025.
- 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 12 in DP 232985 which is known as No. 40 Bellevue Street, Fairlight. The site is located on the eastern side of Bellevue Street with a frontage of 6.06m. The site is rectangular in shape and has an area of 237.3m² with a depth of 17.995m. The locality is depicted in the following map:



Site Location Map

The site is relatively level with a slight fall from the rear boundary (RL 26.5) towards the front northeast corner of the site (RL 25.06). The site currently comprises a single storey brick dwelling with tiled and metal roof. The dwelling is part of a pair semi-detached dwellings with No. 42 Bellevue Street to the north. A low timber picket fence is erected along the street frontage.

The site does not currently have any parking on site. The adjoining semi-detached dwelling (No. 42) comprises a double carport forward of the dwelling.

The site is depicted in the following photographs:



View of Site from Bellevue Street

The existing surrounding development comprises a mix of semi-detached dwellings and detached dwellings comprising of 1 and 2 storeys. This portion of Bellevue Street is characterised by dwellings with reduced setbacks (4-65m) to the street frontage with a number of dwellings providing for parking within the front setback. The streetscape is also characterised by a variety of fencing. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

The following photos depict the existing streetscape in this portion of Bellevue Street.



No. 34 Bellevue Avenue



No. 32 Bellevue Avenue

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations to the existing semi-detached dwelling, new car space and front fence.

Dwelling Alterations

The proposed alterations / additions are described below:

- Reconfigure lower portion of existing front wall of office to create a 1.2m high indent. This will create a useable car space discussed below.

Car Space

It is proposed to provide a for a new hardstand parking area within the front setback. The hardstand will accommodate a single car and has a depth of 5.4m and width of 2.4m to comply with the Australian Standard.

Front Fence

The existing timber picket front fence will be demolished and replaced with a new front fence. The fence will have a height of approximately 1.2m and comprises a mixture of timber picket and a rendered masonry wall.

Landscaping

The proposal requires the removal of two (2) trees, both of which are exempt species and for which consent is not required for their removal.

The proposal will result in the following numerical indices:

Site Area: 237.3m²

Existing Total Open Space: 102.02m² or 42.99%

**Proposed Total Open Space: 87.73m² or 36.9%
(as defined)**

**Existing Soft Landscaped: 63.51m² or 48.6% of the required total open
space**

**Proposed Soft Landscaped: 49.29m² or 37.76% of the required total open
space**

It is noted that there is no change to existing FSR.

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 R3 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:

- ❑ Ensuring the proposal complements the existing streetscape and the existing surrounding properties.
- ❑ Retaining the existing amenity to the surrounding residences.
- ❑ Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.

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 | Refer to plans | Yes |
| Clause 4.4 Floor Space Ratio | 0.6:1 | No change to existing | Yes |

Clause 5.10 Heritage Conservation



Extract of Heritage Map

The subject site is not heritage listed nor is it located within a conservation area. However, the street trees in Bellevue Street is identified are a local heritage item. The proposed at grade parking space and new driveway is well separated from the existing street trees. There will be no impact on the existing street trees.

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 works greater than 1m below existing ground level 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 the front façade of the dwelling and a new hardstand car space. It is our opinion that the proposal will not have a detrimental impact on the view of the site from the street. This portion of Bellevue Street comprises a mix of single detached dwellings and semi-detached dwellings a number of which have parking forward of the dwelling structure and with minimal setback to the street.

Reference is made to the following properties, all of which provide carport structures forward of the dwelling with minimal setbacks:

- 42 Bellevue – double carport to adjoining semi-detached dwelling.
- 34 Bellevue – single carport
- 32 Bellevue – single carport
- 30 Bellevue – hardstand parking space
- 24 Bellevue – sandstone garage
- 22 Bellevue - carport

The proposed alterations to permit parking within the front setback is compatible with the established the existing form of parking in this locality.

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 additions/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 alterations to the existing dwelling do not encroach the existing setbacks. The alterations provide for a step in to permit a sufficient front setback for hard stand parking.

The hard stand parking area is proposed within the front setback area, which as identified previously, is consistent with the established building line for parking structures on this side of Bellevue Street.

Clause 3.3 - Landscaping

The proposal does not require the removal of any existing protected vegetation. The proposal requires the removal of only two (2) 'exempt' species. An Arboriculture report has been submitted with the application.

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 to the existing dwelling are very minor and do not increase the existing building envelope. The alterations merely provide for a step in to increase the street setback and permit a parking space.
- The minor alterations to the dwelling do not have any impact on privacy to the adjoining properties. The proposed hardstand parking space is non-habitable and as such will not impact on privacy of the surrounding properties.
- The proposal does not provide for any new built form.
- The subject and surrounding properties do not currently enjoy any significant views and 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 is not required.

Clause 3.7 - Stormwater Management

All collected stormwater will be discharged to the existing stormwater system. The stormwater disposal will be in accordance with the Manly Specification for Stormwater Drainage 2003.

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 D2 – 1 dwelling per 150m ² | Yes The site area is 237.3m ² and the proposal does not seek to increase housing density. |

| Clause/ Design Element | DCP Requirement | Compliance/Comments |
|---|---|--|
| Floor Space Ratio | Refer to LEP 0.75:1 | Not Applicable – there is no change to existing FSR. |
| Wall Height | Height – 6.5m | No change to existing wall height. |
| Number of Storeys | Two Storeys | Yes Existing single storey dwelling retained. |
| 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 | <p>Front Setback – Min. 6.0 metres or consistent with neighbouring.</p> <p>Side Setback – 1/3 of the height of wall.</p> <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>The alterations to the dwelling do not encroach the existing setback. The new hard stand area within the front setback is discussed later in this report.</p> <p>Not Applicable.</p> <p>Not Applicable</p> <p>Existing rear setback retained.</p> |

| Clause/ Design Element | DCP Requirement | Compliance/Comments |
|------------------------|--|---|
| Landscaping/Open Space | <p>Open Space Area 2: Minimum total open space: 50% of site area.</p> <p>Minimum soft open space as % of total open space: 30%</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>Proposed Total Open Space: 87.73m² or 36.9%</p> <p>Proposed Soft Landscaped: 49.29m² or 37.76% of the required total open space. See comments at end of table **.</p> <p>Yes The proposal does not require the removal of any protected vegetation. There is sufficient vegetation on site.</p> <p>Yes The proposed works do not impact on the existing private open space.</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>Maximum width of structures forward of the building line is 6.2m or 50% of site width whichever is the greater.</p> | <p>The site does not currently provide for any parking on site. The only option for parking is within the front setback. The proposal provides for a hardstand area only to minimise impact on the streetscape and which is consistent with the requirements of this clause. The hardstand area is only single width to ensure appropriate landscaping within the front setback.</p> <p>Yes The hardstand area does not provide for any structure above ground level. Notwithstanding the parking space does not extend more than 50% of the width of the site.</p> <p>There is no other option for parking spaces on site.</p> |

| Clause/ Design Element | DCP Requirement | Compliance/Comments |
|------------------------|---|---|
| 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. | <p>The proposal provides for a new front fence and gates to be constructed of rendered masonry with palisade pedestrian and vehicular gates. The fence has a height of 1.2m.</p> <p>Whilst the rendered masonry wall has a height of 1.2m, this has only a limited width, with the majority of the street frontage consistent of palisade gates.</p> <p>The fencing proposed is compatible with the varied form of existing fencing in Bellevue Street.</p> <p>The fence does not detract from the streetscape.</p> |

****Clause 4.1.5 Open Space & Landscaping**

The site is located within Open Space Area 2 which requires the following:

Minimum total open space: 50% of site area.

Minimum soft open space as % of total open space: 30%

The proposal results in the following:

Proposed Total Open Space: 87.73m² or 36.9%

Proposed Soft Landscaped: 49.29m² or 37.76% of the required total open space.

- The site has an area of only 237.3m² which is an undersized allotment and strict compliance is unreasonable when providing for a dwelling and parking on site.
- The existing site provides for an open space 102.02m² (42.99%), which is non-compliant with the numerical requirements of this clause. The reduction in open space for the proposed works are a direct result of providing parking on site. There is currently no parking on site and street parking is in high demand. There is significant benefit to providing a parking on space on site, particularly when considered the character of the streetscape, as previously discussed.
- The proposal retains some soft landscaping within the front setback.
- The area of open space being replaced with a parking space is not currently utilised by the residents for open space.
- The proposal provides for only a hard stand area with no covered structure thereby minimising impact on the streetscape.
- The proposal does not require the removal of any protected trees.
- All collected stormwater will be discharged to the street gutter and will not result in any additional runoff to the adjoining properties.

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 semi-detached dwelling, new hardstand parking area and new fence without detrimentally impacting on the character of the area. The proposal does not result in the removal of any protected vegetation. The design of the proposal is such that they do not result in any unreasonable 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 semi-detached dwelling house 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 of semi-detached dwelling that are compatible with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain. The proposed on site hardstand parking area will assist in reducing on street parking demand.

6. CONCLUSION

This application seeks approval for the construction of alterations to an existing semi-detached dwelling, new hard stand parking area and new front fence. 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 semi-detached dwelling, new hardstand parking area and new fence upon land at **No. 40 Bellevue Street, Fairlight** is worthy of the consent of Council.

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