

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED DEVELOPMENT

Proposed Vergola louvered (awning) roof system to rear side terrace of existing residence

SUBJECT PREMISES

6 Lewis St, Balgowlah Heights

OWNER

Ms Smith

BUILDER

Vergola (NSW) Pty Ltd

COUNCIL

Northern Beaches Council

DATE

17th April 2024

1.0

EXISTING SITE FEATURES

The development site is known as 6 Lewis St, Balgowlah Heights and is located on the south eastern side of Lewis Street. The site is currently developed by two storey dwelling and inground swimming pool. Access to the site is via the existing driveway.

The construction of the proposed awning will not involve the removal any significant trees, or vegetation.

The locality as characterised by a mixture of single and two storey dwellings with a mixture of brick and tile and timber clad and tile dwellings.

Total Site Area: 523.8m²

2.0

PROPOSED DEVELOPMENT

The proposal is for the installation of a Vergola (awning) roof system to the rear side terrace of the existing residential dwelling. The Vergola will be built over an existing hardstand area therefore it will not add to the current site coverage. The proposed awning has an area of 41.9m²

3.0

ASSESSMENT CRITERIA

The proposed development has been assessed in accordance with the relevant matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

3.1

Manly Local Environmental Plan 2013

Manly Local Environmental Plan 2013 (MLEP 2013) is the primary environmental planning instrument applying to the site and the proposed development. The premises are situated in area zoned R2 – Low Density, under the LEP and the alterations and additions associated with a dwelling is permissible in this zoning, with Council consent. The proposed development is consistent with the zone objectives.

The LEP has outlined the site is not a heritage item and is not located within a heritage conservation area.

The principal controls are:

LEP Requirements	Existing	Proposed	Control	Compliance
Building height	n/a	4.33m	8.5m	Yes
Floor Space Ratio		Not applicable	0.45:1	Yes

3.2

Manly Residential DCP 2013

Compliance with Manly Residential DCP is summarised in the following: Please note only the relevant sections have been selected for consideration and analysis.

3.2.1

STREETSCAPE

The awning will be located at the rear of the property. It integrates well with existing architectural design themes of the dwelling and it is considered that the proposed integrates into the existing streetscape of the area.

3.2.2	SETBACK
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There are no changes to the existing setback including the existing and approved zero side setback.

3.2.3	SOLAR ACCESS
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The height, setback and location of the proposed Vergola will not adversely impact on the level of solar access currently enjoyed by the neighbouring residents.

3.2.4	PRIVACY
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The proposed shall not unreasonably impact upon adjoining properties.

3.2.5	HEIGHT
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The proposed Vergola complies with council's HOB control.

3.2.6	LANDSCAPING
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The proposed adds no additional impervious area to the site as it will be built over an existing hardstand area.

3.2.7	SOIL AND WATER MANAGEMENT
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Due to the minor nature of the development, it is not considered necessary to implement further soil and water management strategies during the construction of the proposed awning.

3.2.8	DRAINAGE CONTROL
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All downpipes will be connected into the existing system.

3.2.9	ENVIRONMENTAL PROTECTION
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The minor scale of the development will have no impact upon the site's environmental constraints in relation to topography, drainage, soil landscapes, flora, fauna and bushfire hazard.

3.2.10	WASTE MANAGEMENT
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All materials brought onsite will be used in the construction of the Vergola. Therefore, a waste management plan is not required or supplied.

3.2.11	BOUNDARY SURVEY
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In this instance, councils requirement for a boundary survey in relation to the proposed minor works on the property appears to be unnecessary, particularly given that the scope of the project does not involve any changes to the RLs or modifications to existing and approved setbacks. In light of the limited nature of the work, the need for a new boundary survey seems excessive. Furthermore, we have previously submitted a boundary survey that, while three years old, accurately reflects the current state of the property. Requiring a survey that's no more than two years old introduces an undue burden without corresponding justification. Given the stability of the property's boundaries and the lack of changes that would impact planning regulations, we respectfully request that the council reconsider its position and accept the existing boundary survey, allowing the assessment of this application to proceed without further delay.

3.3

STATE ENVIRONMENTAL PLANNING POLICIES

The following State Environmental Planning Policies may apply:

State Environmental Planning Policy (Planning Systems) 2021
State Environmental Planning Policy (Biodiversity and Conservation) 2021
State Environmental Planning Policy (Resilience and Hazards) 2021
State Environmental Planning Policy (Transport and Infrastructure) 2021
State Environmental Planning Policy (Industry and Employment) 2021
State Environmental Planning Policy (Resources and Energy) 2021
State Environmental Planning Policy (Primary Production) 2021
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021
State Environmental Planning Policy (Precincts – Central River City) 2021
State Environmental Planning Policy (Precincts – Western Parkland City) 2021
SEPP (Precincts – Regional) 2021
State Environmental Planning Policy (Housing) 2021

Consideration has been given to the abovementioned policies; no additional requirements are outlined which impact on the proposed development.

3.4

SUBMISSIONS

The proposed development is considered in the public interest for the following reasons:

- The proposal is consistent with relevant State and Local strategic plans and complies with the relevant State and Local planning controls.
- No significant adverse environmental, social or economic impacts will result from the proposal.

3.5

PUBLIC INTEREST

It is acknowledged that submissions arising from the public notification of this application will need to be assessed by Council. Should objections be received it is hoped Council will enable mediation to occur in order to resolve any issues.

4.0

CONCLUSION

The proposal satisfies the zone objectives and has demonstrated compliance with the DCP and LEP, achieving the outlined requirements in relation to solar access controls, built form and setback provisions.

The minor size and scale of the development compliments the existing character of the area without having an adverse impact on the amenity, privacy and existing levels of solar access currently enjoyed by the neighbouring residents and properties.

Accordingly, it is recommended that the development proposal be supported.