
Statement of Environmental Effects

39 CASTLE CIRCUIT, SEAFORTH

Alterations and additions to an existing dwelling including replacement of the roof, modifications to the existing attached carport, improved pedestrian access, and a new pergola structure.

Reference: 1885
Date: 11 June 2019
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1 INTRODUCTION / PROPOSAL

This Statement of Environmental Effects is to accompany a development application to Northern Beaches Council seeking consent to construct alterations and additions to an existing dwelling identified as No. 39 Castle Circuit, Seaforth.

The proposed works are detailed on the submitted architectural drawings prepared by Buck and Simple Architects and are summarised below.

1.1 Carport and Entry Pergola

The existing carport and pedestrian entry will be modified as follows:

- The carport roof structure will be replaced with a new metal deck roof with a shallow pitch that falls to the north;
- The carport will be enclosed with a fixed vertical timber screen and integrated garage doors to provide a seamless timber screen appearance when closed;
- A hardwood timber pergola is proposed off the eastern portion of the carport providing an improved pedestrian entry experience.

1.2 Modifications to the Existing Dwelling

The dwelling is proposed to be modified as follows:

- Removal of the existing roof structure and associated masonry gable end elements;
- A new timber framed metal deck roof will replace the original roof with a reduced pitch and associated skylights;
- The proposed roof structure will extend over the existing north facing balcony extending from the ground floor level;
- A privacy screen is proposed to the eastern and western extents of the existing balcony;
- A new external stair will provide access from the balcony to the open space area located at the same level as the lower ground floor level; and
- Minor changes to openings are proposed at the northern elevation at the ground and lower ground floor level as detailed on the submitted elevations.

1.3 Proposed Pergola Structure

The proposal involves the construction of a timber pergola structure that extends from the lower ground floor level and covers the existing paved area surrounding the swimming pool.

This Statement of Environmental Effects provides an assessment of the proposed development with consideration to the relevant statutory planning framework and the likely impacts of the development on the natural and built environment in accordance with S.4.15 of the Environmental Planning & Assessment Act, 1979.

2 SUBJECT SITE AND ADJOINING PROPERTIES

The site is identified as No. 39 Castle Circuit, Seaforth and has a legal description of Lot 20 in DP 663579. The site location is identified at Figure 1 below.

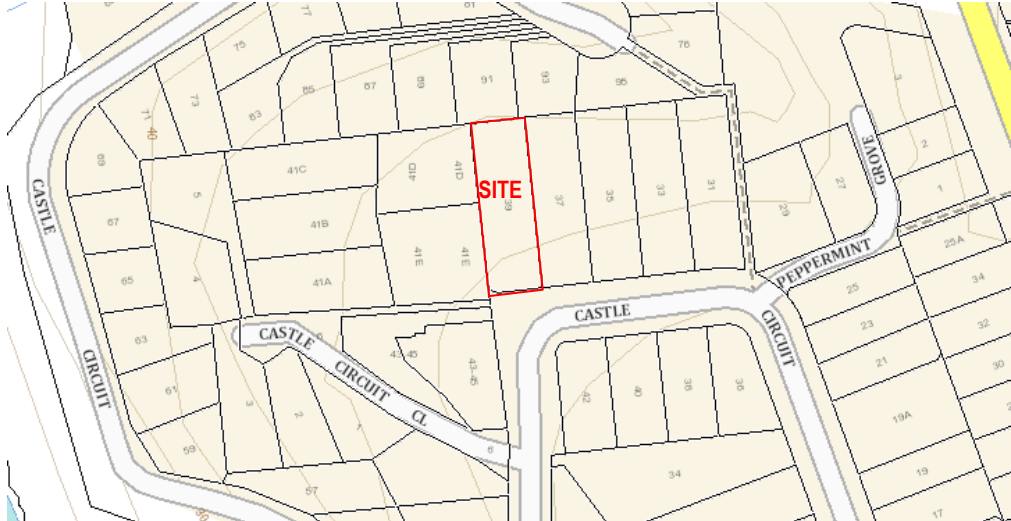


Figure 1: Site Location

The site is a regular shaped property that is located on a north to south axis. The site contains an area of 1,113m² and has a fall in a northerly direction, towards the rear property boundary. Situated on the site is an existing part 1 and part 2 storey dwelling house that is setback approximately 15m from the primary boundary alignment. The dwelling reads as a single level structure from the street frontage with an associated double carport. The dwelling when viewed from the property frontage is indicated at Figure 2.



Figure 2: Existing dwelling and carport at the site as it fronts Castle Circuit

Living areas within the dwelling are located the ground floor level and extend onto an existing covered balcony that faces north towards the rear boundary. The balcony affords views to the north and west of the bushland and provides

glimpses of the waterway. The two storey northern façade of the dwelling when viewed from the rear yard is indicated at Figure 3. Access from the ground floor balcony to the year yard area is provided via a set of access stairs at the western end of the balcony. The lower ground floor level contains openings that extend onto the yard and pool area.



Figure 3: Northern façade of the existing dwelling including terrace and access stairs

The subject site is located within a low density residential area with adjoining properties comprising 4 dwelling houses as indicated at Figure 4.



Figure 4: Aerial photograph of the subject site and adjoining dwellings

Three of the adjoining properties contain common side boundaries with the development site. The properties to the west of the site area identified as Nos.

41D and 41E Castle Circuit. Due to the prevailing fall in the land to the north and west, these properties are located at a slightly lower level and are oriented to look to the west and north. Water views from the subject site are gained over the oblique angle to the north west over the rear yard of No. 41D as indicated at Figure 5.



Figure 5: Views to the north-west from the north facing balcony at the site

To the east of the site is an existing dwelling identified as No. 37 Castle Circuit. Situated on the property is a dwelling that contains open space areas including a swimming pool that are located within the northern portion of the site, in a configuration that is much the same as the development site. Dense landscaping exists at the common boundary which provides passive separation to the adjoining open space areas from the lower levels of the site (Figure 6).



Figure 6: Relationship of the site to the eastern boundary

To the north of the site is an existing dwelling that shares a common rear boundary with the development site. Existing dense vegetation and the fall in the land to the north provides good passive separation between the living areas at the subject site and the open space areas of the adjoining northern dwelling.

3 STATUTORY PLANNING ASSESSMENT

To assist Council with the determination of this application, a statutory planning assessment of the proposed development is provided below in accordance with the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979.

3.1 Section 4.14 – Bushfire Prone Land

Section 4.14 of the Environmental Planning and Assessment Act, 1979 requires that:

(1) Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3 (2)) unless the consent authority:

(a) is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or

(b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.

The subject site is identified as bushfire prone land and submitted in support of the application is an assessment which identifies the required BAL12.5 to be applied to each façade. We note that the development site is not located at the interface with the bushfire hazard and the threat of bushfire is relatively low at the subject site.

3.2 Compliance with Planning Controls (S.4.15(1)(a))

Provided below is a summary of the relevant statutory and non-statutory planning policies that apply to the proposed development:

- SEPP No. 55 – Remediation of Land;
- SEPP (BASIX) 2004
- Manly LEP 2013, and;
- Manly Development Control Plan.

3.2.1 SEPP No. 55 – Remediation of Land

In relation to site contamination, the site has been historically used for residential purposes since it was originally subdivided. In light of the historical use of the building and nature of the proposed works there are no reasons to suspect that the site is contaminated or requires any further assessment in this respect.

3.2.2 SEPP (BASIX) 2004

The proposal is identified as BASIX affected development and as such a BASIX Certificate is required. A BASIX Certificate has been submitted with this application demonstrating that the proposed alterations and additions achieve compliance with the thermal, water and energy efficiency requirements. Where necessary, the BASIX commitments are provided on the architectural plans.

3.2.3 Manly LEP 2013

Provided at Table 1 is an assessment of the LEP provisions that apply to the site and the proposal to identify permissibility and compliance with the relevant LEP development standards.

TABLE 1: RELEVANT PROVISIONS OF MANLY LEP 2013		
Provision	Proposal	Complies
R2 – Low Density Residential Zone	The proposal is identified as alterations and additions to an existing dwelling house. Dwelling houses are permissible with consent from Council in the R2 zone.	Yes
4.3 Building Height Maximum 8.5m	As detailed on the sectional drawings the proposal is located below the required maximum height limit with an overall height of 6.6m	Yes
4.4 Floor Space Ratio Maximum 0.4:1	No changes to the existing gross floor area which remains compliant at 189sqm or an FSR of 0.16:1.	Yes
6.9 Foreshore Scenic Protection (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	 The alterations and additions to the existing dwelling are modest and will not give rise to any adverse view impacts or impacts on the scenic quality of the foreshore when viewed from the waterway. The modified dwelling will continue to site comfortably	Yes

TABLE 1: RELEVANT PROVISIONS OF MANLY LEP 2013		
Provision	Proposal	Complies
relationship with and impact on the foreshore, (d) measures to reduce the potential for conflict between land-based and water-based coastal activities.	within the approve form and established landscaped setting of the area.	

In light of the above, the proposal is designed to achieve full compliance with the relevant provisions of Manly LEP 2013.

3.2.4 Manly Development Control Plan

Provided at Table 2 below are the relevant provisions of Manly DCP that apply to the site and proposed development.

TABLE 2: MANLY DEVELOPMENT CONTROL PLAN 2013		
Provision	Proposal	Complies
Part 3 – General Requirements		
Solar Access For adjacent buildings with a north -south orientation, the level of solar access presently enjoyed must be maintained to windows or glazed doors of living rooms for a period of at least 4 hours from 9am to 3pm on the winter solstice (21 June);	The proposed alterations and additions will only serve to reduce the profile of the roof and have a net reducing in shadow impacts cast from the existing dwelling.	Yes
Balconies and Terraces Architectural or landscape screens must be provided to balconies and terraces to limit overlooking nearby properties	A privacy screen is proposed at the eastern and western extent of the existing balcony to obscure lines of sight between the adjacent living areas.	Yes
Part 4 – Residential Development		
Residential Density The site is identified in area D8 on the Density Areas Map which requires 950m ² of site area per dwelling.	The proposal maintains the existing single dwelling at the site and complies with the residential density requirements.	Yes
Height of Buildings Buildings are to comply with the LEP maximum height – 8.5m. Maximum wall height - 6.5m on flat land and in accordance with Figure 4.1.2.1 of the DCP otherwise. Over a 20m length of the site the gradient is 1:4 with a maximum wall height of 8m.	As detailed above, the dwelling contains a maximum building height of 6.6m.	Yes
	The wall height of the proposals remains unaltered. The proposed screening on the eastern façade of the first floor balcony and associated roof structure fits well within the maximum permitted wall height requirement at 6.33m.	Yes

TABLE 2: MANLY DEVELOPMENT CONTROL PLAN 2013		
Provision	Proposal	Complies
Setbacks		
Street setback – 6m	No change to the existing setback of the carport to the street.	Yes
Side Boundary – setback to be 1/3 of the height of the adjacent wall.	No change to side boundary setbacks at the eastern and western boundaries other than the removal of the original stairs and replacement with stairs that are setback 1.9m from the boundary.	Yes
Rear Boundary – 8m	The pergola structure will not encroach into the rear 8m setback requirement.	Yes
Open Space and Landscaping		
The site is identified as OS4 and requires:		
• Open space – 60% of the site area;	869m ² of open space or 78% of the site area.	Yes
• Landscaped area to be 40% of the required open space (266.8m ²);	Landscaped area of 694m ² which significantly exceeds the minimum requirement.	Yes
• Above ground open space maximum of 25% of total open space.	40.5m ² of above ground open space which accounts for 5% of open space.	Yes
Minimum of 18m ² and 3m in any direction.	Open space area provided at the site significantly exceeds this requirement.	Yes
Parking		
2 parking spaces per dwelling	2 parking spaces maintained within the existing carport.	Yes
Maximum width of a carport to be 50 percent of the frontage, up to a maximum width of 6.2m	Existing carport retained and enclosed.	Yes

In light of the above, the proposed works are designed to achieve full compliance with the requirements of the DCP as they relate to dwelling houses at the subject site.

3.3 Impacts of the Development S.4.15(1)(b)

The proposed works seek to undertake alterations and additions to the existing dwelling with the only additions to the footprint of the dwelling being the 2 x timber pergola structures. The proposal involves the removal of one existing camelia which can be readily replaced on site to allow for the improved pedestrian access arrangements.

Given the minor nature of the proposed works and the limited impact on any existing significant natural features of the site, the proposal will give rise to acceptable impacts on the natural environment.

In relation to impacts on the built environment, the proposal will provide a much needed renovation to an existing dwelling that will improve the street appeal of the dwelling as well as the legibility of the pedestrian access arrangements.

The modified roof forms will replace the existing failing roof with a lower profile structure that simplifies the overall construction and results in reduced impacts associated with overshadowing.

The living spaces and configuration of the dwelling will be generally maintained as well as the existing north facing balcony which extends from the ground floor level. The privacy screens at the eastern and western extents of the balcony will improve visual privacy between the existing dwelling and the adjacent neighbours resulting in privacy improvements.

Maintaining the existing building footprint, lowering the profile of the roof and ensuring that the dwelling is well within the permitted height and FSR requirements will result in no additional substantive view impacts.

In light of the above, the modifications proposed will only serve to improve the amenity of the existing dwelling within a development that will have no adverse environmental impacts and only positive impacts on the built environment.

3.4 Suitability of the Site and Public Interest S.4.15(1)(c)(e)

As detailed above, the proposed works will only serve to improve occupant amenity and the foreshore character of the area. The proposal is compatible with the minor bushfire hazard and is consistent with the objectives of the low density residential zone. Accordingly, the proposal is suitable at the site and in the public interest.

4 CONCLUSION

The proposal seeks consent for alterations and additions to an existing dwelling including replacement of the existing roof structure over the dwelling, replacement of the roof and external modifications to the attached carport, improved pedestrian access, provision of an external access stair from the ground floor of the dwelling to the rear yard and constriction of a pergola structure extending from the lower ground floor level.

The proposal is permissible with consent from Council and is demonstrated to comply with all relevant provisions of Manly LEP 2013 and Manly DCP. In light of the proposal complying with the relevant planning controls and in the absence of any material impacts, the modifications proposed are in the public interest and it is requested that Council determine the application favourably.