

STATEMENT OF ENVIRONMENTAL EFFECTS

30 BUNGALOE AVENUE, BALGOWLAH HEIGHTS

DWELLING ALTERATIONS AND ADDITIONS

**PREPARED ON BEHALF OF
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1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling on Lot A in DP 358566 which is known as **No. 30 Bungalow Avenue, Balgowlah Heights**.

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 Bee & Lethbridge Pty Ltd, Job No. 21452, Revision 1 and dated 01/03/2022.
- Architectural Plans prepared by Scope Architects, Project No. 02116, Revision 1 and dated 01/03/2022.
- BASIX Certificate #A447980 and dated 1 March 2022.

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.

3. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot A in DP 358566 which is known as No. 30 Bungaloe Avenue, Balgowlah Heights. The site is generally a rectangular shaped allotment located at the southeast intersection of New Street and Bungaloe Avenue. The site has an area of 532m² with the northern boundary having a frontage of 22.21m to New Street and the western boundary having a frontage of 15.76m to Bungaloe Avenue. The locality is depicted in the following map:



Site Location Map

The property slopes from the western boundary fronting Bungaloe Avenue (RL34.16) towards the northeast corner (RL30.41). The site is currently occupied by a single storey rendered brick dwelling which is orientated towards New Street. An attached carport with brick piers and tiled roof is located to the east of the dwelling with vehicular access from a driveway adjacent to the eastern boundary and accessed from New Street. A solid timber fence extends the length of the Bungaloe Avenue boundary and a rendered masonry fence extends the length of the boundary fronting New Street.

There is no significant vegetation on site. The site is not heritage listed nor is it located within a heritage conservation area.

The site is depicted in the following photographs:



View of the existing development on site from Cnr of New Street and Bungaloe Avenue



View of Site Existing Dwelling from New Street

The existing surrounding development comprises a variety of single and two storey dwellings, attached dwellings and two storey apartment buildings on similar sized allotments. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

4. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions including a new first floor. The proposed additions are to be constructed of clad walls with a low pitched metal roof. The existing carport will be retained with a new roof to match the proposed additions.

At ground floor level a new the proposal refurbishes the existing patio fronting New Street. The western portion of the patio will be enclosed to provide for a formal entry. This element is setback 5.16m to the northern boundary fronting New Street which is consistent with the existing dwelling. The existing pedestrian access path and steps from New Street will be demolished and replaced with a new entry.

The proposal provides for a new first floor level. This level provides for a setback of at least 4.79m to the New Street frontage as measured from the balcony with the wall of the dwelling setback 5.14m to this boundary. A setback of at least 6.325m is provided to the western boundary fronting Bungalow Avenue. A setback of 4.46m is provided to the southern boundary.

The resultant dwelling comprises the following:

Ground Floor: Entry, office, two bedrooms, bathroom, laundry, kitchen, dining/living room.
First Floor: Three bedrooms (main with ensuite), rumpus and bathroom.

All collected stormwater will continued to be directed to the street gutter in New Street.

The proposal will result in the following numerical indices:

Site Area:	532m²
Proposed FSR:	238m² or 0.45:1
Total Open Space:	357m² or 67%
Landscaped Space:	151m² or 42% of the total open space.

5 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.

5.1 Planning for Bushfire Protection 2006



Extract of Bushfire 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 to the proposed development.

5.2 Manly Local Environmental 2013



Extract of Zoning Map

The subject site is zoned R2 Low Density Residential. The objectives of the R2 Zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal provides for additions to an existing detached dwelling without detrimental impacts on the amenity of the adjoining properties.

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	0.45:1	238m ² or 0.45:1	Yes

Clause 5.10 Heritage Conservation

The subject site is not heritage listed nor is it located within a conservation area. The proposal complies with this clause.



Extract of Heritage Map

Clause 6.1 Acid Sulfate Soils

The site is identified as Class 5 on Council's Acid Sulfate Soils Map. The proposal does not result in any significant excavation and the land is not below 5m AHD and will not impact the water table.

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 the construction of additions to an existing dwelling. The development continues to present as a single detached dwelling that is well articulated through the use of balconies, varied finishes, setbacks and modulation. The new upper level is provided with articulated elevations and is compatible with the streetscape.

It is considered that the proposal provides for a development that is compatible with the existing surrounding streetscape which comprises a mixture of single storey post-war red brick bungalows and two storey modern development (90's onwards).

The development will be compatible with the style and form of the surrounding dwellings by providing appropriate front setback and modulation of the front facade.

Clause 3.3 - Landscaping

The proposal provides ample area of the site for landscaping and does not require the removal of any protected trees.

Clause 3.4 - Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

The objectives of the clause are noted as:

- | | |
|---------------------|---|
| <i>Objective 1)</i> | <i>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.</i> |
| <i>Objective 2)</i> | <i>To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.</i> |

It is suggested that the works will achieve these objectives as:

- The proposal provides for the majority of high use living areas on the ground floor with predominantly bedrooms and bathrooms on the upper level. The first floor provides for a rumpus room, however, this room is orientated to overlook New Street with a setback of approximately 8m to the southern boundary.
- The existing screen planting adjacent to the southern boundary will be retained and ensures privacy between the two dwellings.
- The first floor provides for a balcony however this balcony is located on the northern elevation and provides for views of the public roads. There is no opportunity for overlooking into private open space or habitable areas of the adjoining properties.
- Shadow diagrams have been prepared depicting minimal additional shadowing. The proposal will continue to maintain at least 3 hours of solar access to the internal living areas and rear private open space of the adjoining properties.
- The subject and surrounding properties do not currently enjoy any significant views and therefore there will be no impact on existing views.

Clause 3.5 - Sustainability

A BASIX Certificate has been submitted with the application.

Clause 3.7 - Stormwater Management

All collected stormwater will continue to be connected to the street gutter in New Street in accordance with Council controls.

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 D5 – 1 dwelling per 500m ²	Yes No change to lot size.
Floor Space Ratio	Refer to LEP 0.45:1	Yes Proposal provides for a gross floor area of 233m ² or 0.43:1.
Wall Height	Height – 6.5m	The eastern elevation wall exceeds the 6.5m height limit. This is a direct result from the slope of the site and existing excavation.

Clause/ Design Element	DCP Requirement	Compliance/Comments
Number of Storeys	Two Storeys	<p>The new first floor is provided with a setback 7.14m to the eastern side boundary which provides ample separation. This element will not be highly dominant in the streetscape. The non-compliance does not result in loss of amenity of the adjoining properties and achieves the objectives of this clause.</p> <p>Yes Proposal provides for a two storey development.</p>
Roof Height	2.5m above wall height	Not Applicable
Parapet Height: 600mm above wall height.	600mm above wall height	Yes
Maximum Roof Pitch	35°	Not Applicable
Building Setbacks	<p>Front Setback – Min. 6.0 metres or consistent with neighbouring.</p> <p>Secondary setback – same as side boundary setback</p>	<p>Yes A setback of 4.79m to 5.14m is provided to the northern boundary fronting New Street. The additions provide for a setback of 6.3325m to the western boundary fronting Bungaloe Avenue. The site is a corner allotment and is constrained by the location of the existing dwelling on site. The proposed additions retain the existing setback to Bungaloe Avenue with the new level providing a complying setback to this boundary. The proposed upper level setback to New Street is generally consistent with the existing setbacks provided.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<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>Whilst there is an overhang on the northern elevation, this provides for additional articulation in conjunction with the varied setbacks and provides an appropriate presentation to the streetscape. It is also considered to be compatible with the established building line in this location, with particular reference to No. 35A New Street to the east.</p> <p>Yes The proposal provides for ample setback to the southern side boundary.</p> <p>Not Applicable</p> <p>The primary front setback is determined to be the western boundary fronting Bungalow Avenue and as such the eastern boundary is considered to be the rear boundary. The proposed additions provide for a setback of 7.14m to the eastern boundary. Whilst this does not strictly comply with the numerical requirements, the setbacks are consistent with the existing dwelling on site.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
		<p>The existing carport is being retained. The upper level eastern elevation windows serve bedrooms and bathrooms which are not high use living areas. The setbacks provided ensure sufficient ample separation to the adjoining properties.</p>
Landscaping/Open Space	<p>Open Space Area 3: Minimum total open space: 55% of site area.</p> <p>Minimum soft open space as 35% of total open space</p> <p>Minimum number of endemic trees: 2</p> <p>Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m².</p>	<p>Yes Proposal provides for the following: Total Open Space: 363m² or 68% of site area. Soft Open Space: 144m² or 49% of required total open space.</p> <p>Yes There is sufficient area for landscaping including canopy trees.</p> <p>Yes There is a sufficient area of private open space in the rear yard. The existing open space is not affected by the proposal.</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>Carports forward of the building line shall be open on all sides.</p>	<p>Yes Existing double carport is retained.</p> <p>N/A – existing carport</p> <p>N/A – existing carport</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	Maximum width of structures forward of the building line is 6.2m or 50% of site width whichever is the greater.	
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	Yes See discussions previously under setbacks.
Fences	Maximum height 1.0m for solid Maximum height 1.5m where at least 30% is transparent.	Not applicable – no changes to proposed fencing.

There are no other provisions of the Manly DCP that apply to the proposed development.

6. 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 additions to an existing dwelling without detrimentally impacting on the character of the area. The proposal does not result in the removal of any significant vegetation and provides ample area of the site for landscaping. 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 R2 Low Density Residential and the construction an dwelling additions in this zone are permissible with the consent of Council. The resultant development is of a bulk and scale that is consistent with existing surrounding developments. The proposal does not result in the removal of any significant 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 additions to an existing dwelling that is compatible with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain.

7. CONCLUSION

This application seeks approval for the construction additions and alterations to an existing dwelling. 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 construction of additions and alterations to an existing dwelling upon land at **No. 30 Bungalow Avenue, Balgowlah Heights** is worthy of the consent of Council.

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