

# **Statement of Environmental Effects**

**for Alterations to**

## **1 Ashburner St Manly**

Prepared by Harrison Architecture 23/12/19

## **1.0 INTRODUCTION**

This Statement of Environmental Effects has been prepared to accompany a Development Application (DA) to Northern Beaches Council for alterations to an existing house at 1 Ashburner St Manly.

The proposed development comprises an internal reconfiguration of the existing house, as well as new front and rear fences.

The proposal is permissible with consent and is suitable for the site and the area. The proposal has been designed to relate to its site and to the streetscape in terms of appearance, envelope, setbacks, bulk and scale. The proposal will operate without any significant impact to the amenity of neighbouring properties.

This statement assesses any numeric non-compliance as acceptable on merit, resulting in no adverse impacts and in compliance with all relevant DCP and LEP objectives.

The purpose of this SEE is to:

- Describe the site to which the application applies and its context;
- Describe the proposed development
- Describe the legislative framework against which the application is to be assessed and determined; and
- Provide an assessment of the environmental impacts in accordance with the Section 4.15 of the EP&A Act 1979.

This Statement has been prepared in reference to the following:

Architectural Plans

Harrison Architecture

23.12.2019

Survey

H Ramsay & Co

11.12.2019

## **2.0 SITE ANALYSIS AND CONTEXT**

### **2.1 The site**

The site is located at 1 Ashburner St Manly and is legally described Lot 1 in Deposited Plan 998150. The site is located on the northern side of Ashburner St, between East Esplanade and Darley Road.

The site is rectangular with a total area of 144.3 square metres by survey, with a 6.435 metre street frontage to Ashburner St. The western and eastern side boundaries measure 22.55 metres. The rear boundary measures 6.405 metres. The site is flat. The site currently contains a one-storey brick house with a metal roof. It is built to the boundary on the west side. The site is entirely concreted. There is no vehicular access.

The land is zoned R3 Medium Density Residential under the provisions of Manly Local Environmental Plan 2013. The site is not located within a Heritage Conservation Area, nor is it identified as a Heritage Item.

## 2.2 The Locality

The locality comprises a mixture of residential development of buildings heights from one storey dwellings to multi-level low rise apartment blocks.

The site adjoins numbers 20-23 East Esplanade, a group of 4 two to three storey brick dwellings to the west. To the east, the site adjoins number 3 Ashburner St, a house largely the same as number 1. It is built to the boundary. To the north of the site is 24 East Esplanade, which contains a 6 storey brick and concrete apartment building.

## 3.0 THE PROPOSAL

### 3.1 Overview

The Development Application proposes internal reconfiguration of the existing dwelling. The reconfiguration will include a new bathroom, kitchen, lounge and dining area. New masonry fences are proposed for the front and rear boundaries with new entry gates to the front.

Demolition of the rear wall of the existing house is proposed to enlarge the rear courtyard by about 600mm. New paving is proposed to all outdoor areas.

The proposal has been designed to relate to its site and to the streetscape in relation to appearance, envelope, setbacks, bulk and scale. The design utilises high quality materials and detailing to present an unobtrusive visual outcome for the locality. The development will be commensurate in height with the existing building and neighbouring properties along Ashburner St. Please refer to plans prepared by Harrison Architecture.

### 3.2 Numerical Overview

A brief numerical overview of the development parameters for the proposed development is included in the following table

| Component         | Proposal            |
|-------------------|---------------------|
| Site Area         | 144.3m <sup>2</sup> |
| Gross Floor Area  | 81.7m <sup>2</sup>  |
| Floor Space Ratio | 0.57:1              |
| Height            | 6.63 (chimney)      |
| Boundary Setbacks |                     |

|   |   |
|---|---|
| <ul style="list-style-type: none"> <li>- Front</li> <li>- Rear</li> <li>- Side (west)</li> <li>- Side (east)</li> </ul> | 3.155m (retain existing)<br>3.106m (increased setback)<br>0m (retain existing)<br>0.7 - 0.67m (retain existing) |
| Car Spaces  | 0   |

## **4.0 STATUTORY PLANNING FRAMEWORK AND ENVIRONMENTAL ASSESSMENT**

This Chapter provides an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

### **4.1 Statutory and Policy Compliance**

The relevant matters for consideration under Section 4.15(a) of the EP&A Act, 1979, are identified as:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Manly Local Environmental Plan 2013
- Manly Development Control Plan 2013

The primary statutory document that relates to the subject site and the proposed development is Manly LEP 2013. The primary non-statutory plan relating to the subject site and the proposed development is Manly DCP 2013

#### **4.1.1 State Environmental Planning Policy No. 55 – Remediation of Land**

This Policy is to provide for a state-wide planning approach to the remediation of contaminated land. Subject to Clause 7, considerations should be given to the suitability of land in terms of contamination.

The subject site has a long history of being used for the residential purpose. Thus, there is no further consideration required under Clause 7(1)(b) and (c) of SEPP 55.

#### **4.1.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

SEPP (BASIX) 2004 applies to the proposed development. A BASIX Certificate is submitted with the application and confirms that the proposal will comply with the water, thermal comfort and energy efficiency requirements of the policy.

#### **4.1.3 Manly Local Environmental Plan 2013**

The development complies with the provisions of Manly LEP 2013.

#### Zoning and permissibility

The development is identified to be residential which is permitted with consent in the R3 zone.

The objectives of the zone are:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage the revitalisation of residential areas by rehabilitation and suitable redevelopment.
- To encourage the provision and retention of tourist accommodation that enhances the role of Manly as an international tourist destination.

The proposed development will provide a dwelling house capable of a range of suitable residential uses that will complement the existing uses within the local area of Manly. The new development will be suitably integrated within the site, maintaining the character of the streetscape.

#### **Clause 4.3 Height of buildings**

The Height of Building Map stipulates that the maximum building height permitted for the site is 11 metres. The proposed height of the development is as per the existing height of 6.63m.

#### **Clause 4.4 Floor space ratio**

The Floor Space Ratio Map stipulates a FSR of 0.75:1. The proposed FSR is 0.57:1.

#### **Clause 5.10 Heritage Conservation**

The site does not contain any heritage items and it is not located within any Heritage Conservation Area. It is across Ashburner St from Heritage Item I80, which at the street is a fenced driveway.

#### **Clause 6.1 Acid Sulfate Soils**

The site falls under Class 4 of Acid Sulfate Soils. The development will not disturb, expose or drain acid sulfate soils or cause environmental damage. The works involve less than 1 tonne of soil and they are not likely to lower the water table.

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

Part of the property is mapped as a medium risk precinct as per the Northern Beaches Flood Hazard Map. The proposal has been discussed with a flood engineer at Northern Beaches Council and deemed to not require a flood management report. The proposed front fence will allow water to pass through.

#### **Clause 6.4 Stormwater Management**

The existing stormwater system will be slightly improved with the addition of an increased amount of landscaping.

#### **Clause 6.5 Terrestrial Biodiversity**

The MLEP 2013 Biodiversity Map identifies the subject site to be located completely within a terrestrial biodiversity area. The proposal will have negligible impacts on terrestrial biodiversity.

#### **Clause 6.9 Foreshore Scenic Protection Area**

The development is within the Foreshore Scenic Protection Area. The proposal will have negligible impact on the visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly.

### **4.1.4 Manly Development Control Plan 2013**

The development achieves a high level of compliance with the provisions of Manly DCP 2013.

| Control  | Comment | Compliance |
|--|---------|------------|
| <b>Part 3</b>  |         |            |
| <b>3.1 Streetscapes and Townscapes</b>   |         |            |
| <b>3.1.1.1 Complementary Design and Visual Improvement</b>   |         |            |
| The proposal retains the existing building envelope at the front and sides of the property, and reduces it slightly at the rear.<br>No elevated structures are proposed.<br>The proposed rear brick fence will improve privacy between the apartments at 24 East Esplanade.<br>The proposal will not result in any loss of sunlight or views for neighbouring sites. |         |            |
| <b>3.1.1.2 Front Fences and Gates</b>  |         |            |
| The proposal includes a new brick, timber and steel front boundary fence. It will be mainly brick with two timber gates on either side, swinging inwards.  |         | Yes        |
| <b>3.1.1.3 Roofs and Dormer Windows</b>  |         |            |
| The existing roof form is to be retained   |         | Yes        |
| <b>3.1.1.4 Garages, Carports and Hardstand Areas</b>   |         |            |
| None proposed  |         | Yes        |

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|---|-----|
| <b>3.1.1.5 Garbage Areas</b>  |     |
| The bins will be kept in the side passage, away from facing windows.  | Yes |
| <b>3.2 Heritage Considerations</b>  |     |
| <b>3.2.1 Consideration of Heritage Significance</b>   |     |
| The proposal is across Ashburner St from Heritage Item I80. It will have negligible impact on the heritage significance of this site.   | Yes |
| <b>3.3 Landscaping</b>  |     |
| The site is heavily concreted and contains only 3 small hibiscus bushes in the front yard. These will be removed and replaced with a new hedge of Bambusa Textilis 'Gracilis'. A new strip of Bambusa Textilis 'Gracilis' hedging is also proposed along the rear fence.  | Yes |
| <b>3.4 Amenity</b>  |     |
| <b>3.4.1 Sunlight Access and Overshadowing</b>  |     |
| The proposal will not create any extra overshadowing to the neighbouring properties.  | Yes |
| <b>3.4.2 Privacy and Security</b>   |     |
| Existing windows are largely to be retained. Once east facing window will be moved slightly. This will be fitted with opaque glass and will not face into any adjoining windows. The existing window which will face into the proposed bathroom will also be made opaque. The proposed rear sliding doors will somewhat reduce privacy between the site and the apartments at number 24 East Esplanade. This will be mitigated by the proposed rear brick fence and planting along the rear boundary. | Yes |
| <b>3.4.3 Maintenance of Views</b>   |     |
| No views will be reduced by this proposal   | Yes |
| <b>3.5 Sustainability</b>   |     |
| <b>3.5.1 Solar Access</b>   |     |
| The building Orientation is already set. The new North facing glazing will provide better solar access to the main living area of the house.  | Yes |
| <b>3.5.2 Energy Sources and Systems</b>   |     |
| Refer to Basix Certificate for details  | Yes |
| <b>3.5.3 Ventilation</b>  |     |

|  |      |
|--|------|
| The opening up of the floorplan will result in better air flow through the house from North to South.<br>Unobstructed window openings are at least 5% of the floor area served.                                | Yes  |
| <b>3.5.5 Landscaping</b>   |      |
| Landscaping has been chosen to improve privacy, reduce the hard surfaces, and improve outdoor comfort levels in Summer.  | Yes  |
| <b>3.5.7 Building Construction and Design</b>  |      |
| The addition of glazed sliding doors to the north elevation will allow more light into the living areas. Unfortunately the large apartment block to the north will block much of this, particularly in winter. | Yes  |
| <b>3.5.8 Water Sensitive Urban Design</b>  |      |
| The new areas of landscaping will reduce the amount of impervious surfaces on the site.  | Yes. |
| <b>3.6 Accessibility</b>   |      |
| The proposal is able to comply with the relevant Standards that are referenced in the Building Code of Australia and the Access to Premises Standard 2011.   | Yes  |
| <b>3.7 Stormwater Management</b>   |      |
| No change to the existing stormwater system is proposed.   | Yes  |
| <b>3.8 Waste Management</b>  |      |
| A Waste Management plan is provided  | Yes  |
| <b>3.10 Safety and Security</b>  |      |
| The proposed front fence will increase privacy whilst still providing sight lines between the front bedroom and the street.  | Yes  |
| <b>Part 4</b>  |      |
| <b>4.1 Residential Development Controls</b>  |      |
| <b>4.1.1 Dwelling Density, Dwelling Size and Subdivision</b>   |      |
| No additional dwellings, floor area or subdivisions are proposed   | Yes  |
| <b>4.1.2 Height of Buildings</b>   |      |
| No change proposed   | Yes  |



|   |     |
|---|-----|
| <b>4.1.3 FSR</b>  |     |
| FSR is to be slightly reduced from 0.6:1 to 0.57:1  | Yes |
| <b>4.1.4 Setbacks</b>   |     |
| <b>4.1.4.1 Street Front Setbacks</b>  |     |
| No change proposed  | Yes |
| <b>4.1.4.2 Side setbacks</b>  |     |
| No change proposed  | Yes |
| <b>4.1.4.4 Rear Setbacks</b>  |     |
| The rear setback is to be increased from 2.2m to 3.1m   | Yes |
| <b>4.1.5 Open Space and Landscaping</b>   |     |
| <p>Minimum Total Open Space = <math>144.3\text{m}^2 \times 50\% = 72.2\text{m}^2</math>.<br/>           Provided = <math>49.4\text{m}^2</math>. Does not comply.<br/>           Minimum Landscaped Area = <math>49.4 \times 30\% = 14.8\text{m}^2</math>.<br/>           Provided = <math>2.5\text{m}^2</math>. Does not comply.<br/>           Whilst these numbers do not comply, they are an improvement on the existing dwelling.</p>   | No  |
| <b>4.1.10 Fencing</b>   |     |
| The proposed front fence is 1.5m high, with 30% of the fence open / transparent for the part of the fence higher than 1m.   | Yes |
| <b>5.4.1 Foreshore Scenic Protection Area</b>   |     |
| The proposal is externally minimal and will not detrimentally affect the visual or aesthetic amenity of land in the foreshore scenic area nor will it affect views of that land, including ridgelines, tree lines and other natural features viewed from the Harbour or Ocean from any road, park or land in the LEP for any open space purpose or any other public place.  | Yes |
| <b>5.4.3 Flood Prone Land</b>   |     |
| <p>The property is in a Medium Risk Precinct.<br/>           The proposed development will have negligible effect on the property, its neighbours and the flood path. As per subclause (k) Fencing shall be designed and constructed so that it does not impede and/or direct the flow of floodwaters, add debris to floodwaters or increase flood affectation on surrounding land.<br/>           The proposal has been discussed with a flood engineer at Northern Beaches Council and deemed to not require a flood management report.</p> | Yes |

## **4.2 Impacts of the Development**

As noted in the above assessment against the provisions of the relevant Environmental Planning Instruments and Development Control Plan, the development is of a reasonable scale and nature, and does not present unreasonable environmental, social and economic impacts.

## **4.3 Suitability of the Site**

The subject site is considered suitable in size and shape to accommodate the residential development. The proposal does not introduce any incompatible uses to the site. The works are permissible under the R3 zone.

### **4.3.1 Access to Services**

The site is located within an established residential area with excellent access to services and public transport. As the site is within an established urban area, electricity, sewer, telephone, and water services are readily available to the subject site.

## **4.4 The Public Interest**

The proposal is not considered to be against the public interest due to its negligible environmental, social and economic impacts.

The proposed development has been designed to relate to the size, shape and context of the site and has been designed in accordance with the desired future character for development in the area.

The proposal seeks to provide a modern residential development that makes efficient use of space on the site in a prime location that is in high demand for residential accommodation. In addition, the proposal has been designed to minimise as far as practical any adverse effects on existing and future neighbouring properties. The proposal is consistent with the applicable LEP and DCP provisions except where identified and justified in this Statement of Environmental Effects. Accordingly, the proposed development is considered to be in the public interest.

## **5.0 CONCLUSION**

The Statement of Environmental Effects (SEE) has been prepared to consider the environmental, social and economic impacts of the proposed alterations to 1 Ashburner St Manly. The report has addressed the applicable policies and plans, and has provided an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

The application proposes a permissible development within the subject site locality. The proposal incorporates appropriate design considerations to minimise any adverse impacts on the natural and built environment, and the amenity of the surrounding neighbourhood. Given the benefits of the development and compliance with the relevant policies and plans, we conclude that the proposed development at 1 Ashburner St Manly as described in this

application is reasonable and supportable, and worthy of approval by Northern Beaches Council.