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STATEMENT OF ENVIRONMENTAL EFFECTS

PROJECT	<u>129 UPPER CLONTARF ST, SEAFORTH</u>
JOB NO.	<u>AD 1902</u>
CLIENT	<u>Justin + Rowena Caurana</u>
DATE	<u>4.02.2020</u>
ISSUE	<u>A – For Development Application</u>

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1.0 EXECUTIVE SUMMARY

The proposal is to carry out alterations & additions to an existing dwelling including a new partially above ground swimming pool, timber decking + access stairs and hardstand parking area.

Works will highlight and retain the unique & natural character of the site whilst improving the functionality and amenity for the existing owners.

Proposed landscape works include a new concrete plunge pool, adjacent to the existing deck, new stairs to lower lawn area and a new concrete driveway. Minor building alterations are also proposed to convert the existing single car garage into a new entry/ mudroom and the addition of a new bathroom on the ground floor.

The current proposal addresses feedback from Council officers in the pre-lodgement meeting on December 12th 2019. The screening to the southern edge of the pool structure has been given consideration and the scale of the proposed pool deck adjusted to comply with Above Ground Open Space Calculations.

This Statement of Environmental Effects carries out a detailed assessment of the proposal against the relevant planning controls:

- MANLY LOCAL ENVIRONMENTAL PLAN 2013 (MLEP 2013)
- MANLY DEVELOPMENT CONTROL PLAN 2013 (MDCP 2013)

2.0 PROPOSED DEVELOPMENT

The proposed development includes:

Ground Floor:

- Remove existing garage door and timber extension. Infill opening left in masonry walls with new window and relocated front entry door.
- Overhead steel + timber batten awning to match footprint off existing garage.
- Internal works to access newly transformed garage from internal living spaces.
- New sliding doors to replace relocated front entry door
- New bathroom within the existing footprint of the garage on the Ground floor.

Landscape Works

- New concrete driveway + hardstand parking area at existing levels to provide useable onsite parking facilities
- New concrete swimming pool partially above ground – adjacent to existing timber deck
- New steel/ timber pool deck + steps to access lower lawn areas and storage below the dwelling/ proposed pool.
- General landscape upgrades across the site including to garden beds with predominately native species plantings to improve functionality and increase screening, privacy and native fauna habitat.

Attached plans by Alterre Design provide details of the proposal whilst accompanying reports for, geotechnical investigation, stormwater concept drainage plan, certified shadow diagrams and the arboricultural report provide further information to assist in the assessment of the proposal.

3.0 The Site and Surrounding Area

3.1 General



IMAGE A - Locality Map; Source Google Maps – 129 Upper Clontarf Street shown highlighted

Upper Clontarf Street is a partially unformed road located above Clontarf Street to the south. The Wakehurst Golf Club lies to the north. The lots are on relatively flat land with a moderate decline to the west.

The unformed part of Upper Clontarf Street has only been developed on the western side. It has informal parking on the eastern side of the road and single detached dwellings on the western side. The lots are all regular in size and have an east/west orientation.

The subject site 129 Upper Clontarf Street is the last property on Upper Clontarf Street before a steep descent to Clontarf Street. The subject property is different to the other properties in the street, as it has a large rock outcrop in the front setback and a steep decline to the south.



IMAGE B – Vehicular and pedestrian access to the subject site – No. 131 Upper Clontarf road shown to the right

Vehicular and pedestrian access to the property is via a long, narrow & unfenced driveway which has two access easements with the adjoining property at 131 Upper Clontarf Street. These easements (X) and (Y) are labelled on the included survey document.

This concrete driveway runs across the upper sandstone bench to a garage attached to the East side of the dwelling. A sandstone cliff face runs parallel to the south of the driveway to a level lawn area on the South Eastern Boundary. The cliff reaches a maximum height of ~6.0m.



IMAGE C – Vehicular and pedestrian access to the subject site – No. 131 Upper Clontarf road shown to the right

The existing dwellings have been sited to maximise district views to the South. As a result of this No. 131 overlooks the entire front setback of the subject site.



IMAGE D – Existing deck structure + *Angophora costa* and *Bambusa textilis grallis* screening hedge shown

The existing dwelling has a steel/ timber deck adjacent to the living areas on the Eastern side of the ground floor. A screening hedge of *Bambusa textilis gracilis* provides dense screening of the property top the South. This deck is the only readily accessible private open space at this level. The bulk of the front setback is dominated by the shared carriage way and prominent rocky outcrops. Steep timber stairs link the deck to a small lawn area at the front of site.

The property to the south (No. 129) is built at the base of the sandstone cliff approximately 7.7m below the Ground floor RL of the subject site. As a result of this there are currently some overshadowing and privacy issues between the two dwellings.

3.2 Current use

The site is currently used as a residential home. No works are proposed to change the current use of the site.

3.3 Aspect

The site is located on the western side of Upper Clontarf Street and has an east-west orientation. The site has a 12.52 metre frontage to Upper Clontarf Street by 43.84 metres in length. The property is rectangular in shape.

3.4 Slope

The property is located on the edge of a sandstone ridge that steps down the site creating two level benches. The slope falls across the site at an average angle of ~29°. The slope above the property continues at gentle angles. The grade below the property continues at moderate angles. The block also runs East to West, so the slope is a cross-fall.

3.5 Vegetation

The front setback supports several mature trees and various exotic screen planting. A large ***Angophora costa*** and a hedge of Bamboo (***Bambusa textuillus gracillus***) form the bulk of the canopy and will be protected as per the Arboricultural report prepared by *Seasoned Tree Consulting*.

Another existing ***Angophora costa*** shows signs of suppression and stunting and is proposed for removal and replacement, as per the Arboricultural report.

Understorey planting consists of overgrown exotic vegetation that has been recommended for replacement with more suitable native planting (refer proposed plant schedules within the *Landscape Works Plan*). The rear setback has some well-established plantings offering good screening and amenity, these areas are to be retained and protected during the works.

3.6 Planning History

The revised application is in response to advice received from the pre-lodgement meeting held on December 12, 2019. The advice from Council's Development advisors has informed the redesign. The current proposal adopts the feedback from Council planners

3.7 Consideration of Environmental impacts

Key environmental impacts to consider are:

Privacy of neighbouring properties and street

- The subject site does not have any street frontage and therefore proposed works in the front setback will not be visible from the public domain.
- The site's natural sloping topography means that there are existing privacy and overshadowing issues – the proposal seeks to balance these issues with the council's requirement to protect and retain the unique rocky outcrops – refer to relevant sections below for justification.
- The unique rocky outcrops & landscape to be retained in the front setback balance the proposed built form and allow a sense of openness & integration between the built works and natural setting
- The retention of existing screen planting and addition of new suitable native plantings further reduce views out to neighbouring properties.

Flooding, drainage, land slip, soil erosion, mine subsidence and any other risks:

- All proposed works are to be connected to the existing functioning stormwater and sewer system on the property, negating any impact on flooding or drainage – refer to stormwater drainage plan by Northern Beaches Consulting Engineers.
- The property does not have any known mine subsidence issues or risks.

Effect on landscape, streetscape, national park or scenic quality of the locality:

- The streetscape will not be affected as the site has no street frontage and all works are at or below existing ground level.
- The proposed works are well considered to respect the topography and further aim to improve the amenity and visual appearance of the site with increased native planted areas and screening
- The proposed new access stairs to below pool undercroft area are designed to be passive and 'float' within the landscape, retaining the scenic quality of the locality.
- New improvements to the property, along with planting, will add softening to the built form and increase the naturalistic setting of the locality.

Impact on existing and future amenity of the locality:

- Proposed works will increase the amenity of the locality.

Waste disposal arrangements and location storage areas throughout construction:

- During construction, all excavated material is to be either stockpiled and reused on site or disposed of in waste recycling centres with the use of skip bins (which are to be located within the property boundaries).

Availability of utility services, power, telephone, water/sewer:

- All these utilities are currently in use on the property and are to be used during construction and for the long-term/ongoing service of the proposed new works.

Anticipated impact of noise levels to the site locality:

- Construction noise will be undertaken in accordance with Council's requirements.

Effect on historical and archaeological aspects:

- The property does not have any known historical and archaeological aspects.

Effect on flora and fauna:

- The Arboricultural impact assessment report recommends 2 of the existing trees to be considered for removal. These trees have been assessed to have low SULE, landscape significance and tree retention values.
- Subsequent new plantings and trees are to be predominately local natives which will enhance the biodiversity of the area (refer planting schedule for species)

Access for the disabled:

- This is on a private residential property and is therefore not applicable

4.0 MANLY LOCAL ENVIRONMENTAL PLAN 2013 (MLEP 2013)**4.1 Zoning and Permissibility**

The site is in R2 Low Density Residential zone. Alterations and additions to a dwelling house is permitted with consent.

4.2 Aims of the LEP (clause 1.2)

The proposal is consistent with the relevant aims of the MLEP 2012 at Clause 1.2 in that it:

- 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.

4.3 Principal Development Standards

LEP CONTROLS	CONTROL	PROPOSED	COMPLIANCE
Zone: R2 Low Density Residential			
Clause 4.3 Height of buildings	8.5M H	4.5m H (Pool)	YES
Clause 4.4 Floor Space Ratio	0.45:1	0.4:1	YES

4.3.1. Acid Sulfate Soils

The site is not affected by acid sulfate soils as shown on the Acid Sulfate Soils Map.

5.0 MANLY DEVELOPMENT CONTROL PLAN 2013 (MDCP 2013)

5.1 Development Standards

DCP CONTROLS	CONTROL	PROPOSED	COMPLIANCE
4.1.4 Setbacks			
Front	No pools front setback	16.6m (pool – front setback)	Exemption sought
Side (north)	1.0m	na	No change
Side (south)	1.0m	2.05m (pool – above ground)	Exemption sought
Rear	8.0m	n/a	YES
4.1.5.1 Residential Total Open Space Requirements	OS3 = 55% of site area or 292.1m ²	292m ²	YES
4.1.5.1 Open Space Above Ground	No more than 25% of Total Open Space (71m ²)	70m ²	YES
4.1.5.2 Landscaped Area	35% of Total Open Space or 102.5m ²	229m ³	YES

5.2 3.4.1 Overshadowing Adjoining Open Space & 3.4.1.2 Maintaining Solar Access into Living Rooms of Adjacent Properties

In relation to sunlight to private open space of adjacent properties:

- New development (including alterations and additions) must not eliminate more than one third of the existing sunlight accessing the private open space of adjacent properties from 9am to 3pm at the winter solstice (21 June) ; or*
- Where there is no winter sunlight available to open space of adjacent properties from 9am to 3pm, the calculations for the purposes of sunlight will relate to the equinox in March and September from 9am to 3pm.*

In relation to sunlight to the windows or glazed doors to living rooms of adjacent properties:

- for adjacent buildings with an east-west orientation, the level of solar access presently enjoyed must be maintained to windows or glazed doors to living rooms for a period of at least 2 hours from 9am to 3pm on the winter solstice (21 June);*
- 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);*
- for all adjacent buildings (with either orientation) no reduction in solar access is permitted to any window where existing windows enjoy less than the minimum number of sunlight hours specified above.*

Response

Development without impacting overshadowing is extremely difficult on sites with such steep topography and other constraints. The subject proposal seeks to achieve the above outcomes. The shadow diagrams show there is already extensive overshadowing of the neighbouring property due to the site topography and layout. The proposal will not reduce solar access to any living room window on the ground floor of the dwelling as there is currently no winter sunlight available.

The accompanying Shadow Diagrams by 'Design Projector' provide a graphic representation of the shadows in plan and perspective views.

5.3 3.4.2 Privacy & Security

- Objective 1) To minimise loss of privacy to adjacent and nearby development by: appropriate design for privacy (both acoustical and visual) including screening between closely spaced buildings; mitigating direct viewing between windows and/or outdoor living areas of adjacent buildings.*
- Objective 2) To increase privacy without compromising access to light and air. To balance outlook and views from habitable rooms and private open space.*
- Objective 3) To encourage awareness of neighbourhood security.*

Response

Visual privacy in locations such as the subject site is difficult to achieve in its entirety due to the open nature of developments and the steep natural topography. Notwithstanding, the overlooking of visually sensitive areas has been reduced by the provision of a privacy screen 1.6m H to the elevated pool concourse and access stairs.

The proposed pool equipment will be located within a sound proof acoustic enclosure beneath the proposed pool. This area will be screened from adjoining properties by the proposed passive timber/ composite batten screen fixed to the Southern edge of the pool shell + structure.

5.4 3.4.3 Maintenance of Views

- Objective 1) To provide for view sharing for both existing and proposed development and existing and future Manly residents.*
- Objective 2) To minimise disruption to views from adjacent and nearby development and views to and from public spaces including views to the city, harbour, ocean, bushland, open space and recognised landmarks or buildings from both private property and public places (including roads and footpaths).*
- Objective 3) To minimise loss of views, including accumulated view loss 'view creep' whilst recognising development may take place in accordance with the other provisions of this Plan.*

Response

The existing dwelling and adjoining properties have been sited to maximise the views across the subject site to the South. All proposed landscape works are at or below the RL of the existing concrete driveway. The proposed location to park vehicles has been selected to sympathetically align with the adjacent living room windows of No. 131 Upper Clontarf St. The Finished Floor Level of 110.910 will ensure that residents have uninterrupted views across the platform and parked vehicles. A 1m H passive, timber palisade balustrade is proposed for safety along the edge of the platform to meet the relevant building codes – it will be allowed to age to blend in with natural bushland and not impede district views.

5.5 4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)

- Objective 1) To provide accessible and adequate parking on site relative to the type of development and the locality for all users (residents, visitors or employees).*
- Objective 2) To reduce the demand for on-street parking and identify where exceptions to onsite parking requirements may be considered in certain circumstances.*
- Objective 3) To ensure that the location and design of driveways, parking spaces and other vehicular access areas are efficient, safe, convenient and are integrated into the design of the development to minimise their visual impact in the streetscape.*

- Objective 4) To ensure that the layout of parking spaces limits the amount of site excavation in order to avoid site instability and the interruption to ground water flows.*
- Objective 5) To ensure the width and number of footpath crossings is minimised.*
- Objective 6) To integrate access, parking and landscaping; to limit the amount of impervious surfaces and to provide screening of internal accesses from public view as far as practicable through appropriate landscape treatment.*
- Objective 7) To encourage the use of public transport by limiting onsite parking provision in Centres that are well serviced by public transport and by encouraging bicycle use to limit traffic congestion and promote clean air.*
- a) The design and location of all garages, carports or hardstand areas must minimise their visual impact on the streetscape and neighbouring properties and maintain the desired character of the locality.*
- b) Garage and carport structures forward of the building line must be designed and sited so as not to dominate the street frontage. In particular:*
- i) garages and carports adjacent to the front property boundary may not be permitted if there is a reasonably alternative onsite location;*
- ii) carports must be open on both sides and at the front; and*
- c) the maximum width of any garage, carport or hardstand area is not to exceed a width equal to 50 percent of the frontage, up to a maximum width of 6.2m.*

Response

The existing single car garage is located at the end of the long, narrow (2.75m W from Survey) and unfenced driveway. This parking space is not adequate for the subject site. There is insufficient space to turn a vehicle resulting in a long reverse up the driveway. This driveway is unfenced and used as the primary pedestrian access to the site. These issues raise serious safety concerns.

By siting the parking platform at the front of the site and increasing the width of the access crossover from 2.35m w to 3.05m wide the vehicular access has been greatly improved from existing.

The width of the proposed hardstand parking area (5.73m) accounts for 47% of the site frontage (12.188m) and complies with the council's control. The hardstand area will not be visible from the street and will increase the safety for the residents and visitors.

There are two existing right of carriageway easements along the driveway. These are labelled (X) and (Y) on the attached survey. For reference, these rights of carriageway's existed to provide access to a historical garage for residents of 131 upper Clontarf St. This garage has since been converted into a pool room and kitchen and no vehicle access has been possible into the garage for over 20 years.

A 1.8 m H timber lap and cap boundary fence is proposed to run along the boundary of 129/131 upper Clontarf St but will not restrict entry or exit to the right of carriageway. The proposed fence will terminate at the proposed hardstand parking area. This will minimise interrupting any existing views from living room windows of No .131. across the subject site.

As there is still a pedestrian door where the right of carriageway (X) previously provided vehicle access an access point is proposed in the new boundary fence to service 131 Upper Clontarf St. This will maintain access for bulky goods/ vehicles to No. 131 Upper Clontarf St if necessary. The stabilised lawn area will be suitable for infrequent vehicular access if required.

A gate is proposed to enclose the frontage where the proposed boundary fence ends to ensure the safety of the two small children who live in the property. The security of this fence and gate is imperative as one of the children has a tendency to run to the road and currently residents at No. 131 Upper Clontarf St park two cars in a parking area at the front of the property adjacent to a blind corner which is a considerable safety concern.

5.6 4.1.9.1 Swimming Pools, Spas and Water features – Height above ground

Swimming pools and spas must be built on or in the ground and not elevated more than 1m above natural ground level. Consideration of any exception to exceed the height above ground must demonstrate that any swimming pools and/or spa and their curtilage and/or concourse more than 1m above natural ground level:

- i) would not detract from the amenity or character of the neighbourhood; and*
- ii) is a minimum distance from any side boundary equivalent to the height of the swimming pools and/or spa and their curtilage and/or concourse at any point above existing ground level.*

Response

The proposed swimming pool has been carefully sited to minimise the disturbance to the unique existing rocky outcrops which characterize the site. Due to the unique topography this location results in the Southern edge of the swimming pool being significantly above existing ground levels (4.24m). An exemption to this control is sought.

As part of the proposed works the two undercut sections of rocky outcropping will be underpinned and supported as per the attached Geotechnical report by Whites. This will increase the long-term safety and stability of the site for all parties.

The proposed timber batten privacy screening and battens fixed to the southern edge of the pool shell form an effective and visually appealing treatment. This will reduce the visual impact of the development and screen the proposed pool equipment soundproof enclosure and water tanks below the pool.

The large **Angophora costa** will be retained and protected as per the Aboricultural Report. The size and scale of this tree will balance the built form of the proposed swimming pool and concourse.

The existing tall screen planting of **Bambusa textilis gracilis** provides further dense and effective screening between the proposed pool and No. 127. Clontarf Street. Whilst this plant is not a native screening solution it is considered appropriate for the location. The dense culms typical of the species will provide good screening even in low light conditions where other native shrubs would lose a significant portion of their lower leaves. Furthermore, mature stock can be easily sourced at the required height of screening +6m> meaning that it can realistically be maintained for the life of the development if council wishes to impose that condition.

The proposed setback of >2m is generous given the tight site constraints and should allow other native screening planting if conditioned by Council.

5.7 4.1.9.2 Swimming Pools, Spas and Water Features – Location and Setbacks

Swimming pools and spas must not be located within the front setback i.e. between the front boundary of the lot and the building line. Consideration of any exception to the required location must demonstrate that any swimming pools and/or spa and their curtilage and/or concourse:

- i) does not detract from the amenity or character of the neighbourhood; and*
- ii) is a minimum distance from the front boundary equivalent to at least twice the height of the swimming pools and/or spa and their curtilage and/or concourse at any point above existing ground level.*

The setback of the outer edge of the pool/spa concourse from the side and rear boundaries must be at least 1m, with the water line being at least 1.5m from the boundary.

Response

The proposed swimming pool has been sited within the front setback due to the lack of a practical rear setback. The unique layout and topography of the subject site means that the proposed pool will not be visible from the street. The associated landscape works feature a predominately native planting scheme which will enhance the amenity and character of the neighbourhood overtime. The balance of tall existing

native vegetation and the scale and location of the existing rocky outcrops minimise the visual impact of the development.

The setback from the outer edge of the pool concourse to the front boundary is 16.6m and 2.05m to the Southern Side which complies with the above council control.

5.8 Water Management and Drainage

As a part of this development, a rainwater tank (1000L) is proposed to be installed beneath the proposed pool. Stormwater management and design is as per the Stormwater Concept Drainage plan prepared by NBC Engineers.

5.9 Basix

The proposed development will include a 1000L water tank, pool pump timer and gas hot water system as per BASIX report requirements.

5.10 Compliance with General Principles

During construction, stormwater management will be contained on site using detention and, where necessary, the installation of sedimentation traps and fences to minimise run-off from stockpiling.

6.0 CONCLUSION

6.1 General

The site is on a steep slope. Due to the unique siting of the existing dwelling there is no practical rear setback in which to site the proposed works. The shared right of carriage ways and sheer sandstone ledge/rocky outcrops reduce usable private open space in the front setback.

In order to attain more useable private open space without significant excavation/ cut and filling a swimming pool has been proposed within the front setback. The steep topography and existing rocky outcrops limit other potential locations. To avoid significant excavation and demolition of the unique rocky outcrops the pool has been designed to bench over these existing features with minimal excavation.

The proposal seeks to balance the council requirements to protect and retain unique geological forms with the relevant Built Form Controls of Manly's Development Control Plan 2013 and Manly's Local Environment Plan 2013. Overall the design has been carefully considered to address the objectives of the above planning documents. Exemption is sought for the above variations to pool location which has been described and justified above.