

**DESCRIPTION OF DEVELOPMENT &
STATEMENT OF ENVIRONMENTAL EFFECTS**

DEVELOPMENT APPLICATION
ALTERATIONS & ADDITIONS

140A CRESCENT ROAD
NEWPORT

Submitted to

NORTHERN BEACHES COUNCIL

On behalf of

MRS J BROWNE

Prepared by

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1.0 INTRODUCTION

This report provides a description of the proposed development at 140A Crescent Road Newport and an analysis of the development against planning issues. The proposed alterations and additions to the existing dwelling are minor in nature and limited to the first floor. They consist of a small extension to the existing first floor deck and living area which will improve the amenity of the existing dwelling with minimal impact on the surrounding properties.

This submission has been prepared by Mark Hurcum Design Practice on behalf of the applicant, Mrs J Browne and the owners of the property.

This application conforms with most statutory planning requirements, with some minor non compliances that are existing conditions and can be shown to pose no additional negative impact to the surrounding areas or neighbours. The proposed works were designed with direct reference to Council's Codes and Standards.

The proposed alterations and additions were developed with consideration of the impact on neighbouring properties and successfully respond to the Aims and Objectives of Council's Statutory Codes.

2.0 SITE DESCRIPTION

The proposed site, 140A Crescent Road Newport is legally known as Lot 2, Deposited Plan No. 535511. The site is situated off Crescent Road in a rear battle-axe configuration with natural ground levels falling from south-east to north-west towards the foreshore. The site configuration consists of a right of carriageway from Crescent Road of varying width which falls approximately 6.6 metres over a 75.5 metre length giving a fall of approximately 3.5%. The body of the site is a fairly regular shape of approximately 33m x 32 m, with a steep increase in grade through the middle section and beyond the foreshore boundary.

The existing site consists mainly of boundary planting and native shrubs with stone retaining walls along the driveway and towards the front of the dwelling. To the foreshore side, vegetation is dominated by foreground lawn at ground floor level with the steepest site falls and shrub screening beyond the existing pool area. The proposal will not impact the existing site condition and is restricted to the extent shown on the submitted drawings.

The north-east boundary is adjacent a two-storey rendered residence (No.3 Panima Place), while the southeast boundary is adjacent a two-storey stone house (No.140 Crescent Road) that looks over the subject property.

The subject site has an existing two storey rendered brick house with a flat concrete and metal roof with a pool and boatshed situated on its north-west side.

3.0 PROPOSED DEVELOPMENT

The proposed development involves minor alterations and additions to the first floor and roof of the existing dwelling that involve the extension of the existing first floor deck and living area.

The objective of the proposal is to improve the existing amenity of the first floor by providing a larger deck and living area and to contain theses proposed alterations within

the existing extent of the building so as to minimize the impact of the development from the adjoining properties. The proposed alterations and additions are restricted to the first floor and roof above and no excavation or site disturbance is expected. There will be no increase of the existing site coverage to the site. The concrete extension of both the first-floor deck and roof above will be pinned into the existing slabs and as much of the existing external fabric is to be retained as possible. This respectful design aims to improve the occupant's ability to enjoy their foreshore views while reducing the overall impact of the addition over the site. No changes are proposed to the existing ground floor footprint nor the rest of the site and its existing landscaping.

4.0 DEVELOPMENT CONTROLS

The following legislation and planning documents are relevant to the assessment of the subject DA:

- Coastal Management Act 2016 and State Environmental Planning Policy (Coastal Management) 2018;
- Pittwater Local Environmental Plan 2014;
- Pittwater 21 Development Control Plan.
- State Environmental Planning Policy (BASIX) 2004;

4.1 ENVIRONMENTAL PLANNING INSTRUMENTS

4.1.1 SEPP (COASTAL MANAGEMENT) 2018

The subject land is identified as being within the 'Coastal Environment Area' and the 'Coastal Use Area' on the relevant maps. As these areas comprise the 'Coastal Zone' the provisions of the Coastal Management Act 2015 (CMA) apply. These provisions are generally addressed by the relevant clauses of the SEPP and generally relate to foreshore access and the protection of the environment. There is currently limited public access to the foreshore along the north-western boundary of the property. This development application does not propose any changes to the foreshore area of the site. Accordingly, the proposed development will have no impact on foreshore access and no environmental impact within this area.

4.1.2 PITTWATER LOCAL ENVIRONMENT PLAN 2014

The proposed development has been assessed against the clauses of the Pittwater LEP and the relevant clauses have been discussed below.

Zone of land

The site is zoned E4 Environmental Living under the Pittwater LEP. Alterations and additions to a dwelling house are permitted under this zoning with the consent of the consent authority.

LEP Clause 4.3 – Height of buildings

The maximum building height for the subject site is 8.5m. The existing dwelling and proposed first floor extension comply with this control. Due to the limited extent of the extension of the roof above the first floor it will not impact the views of 140 Crescent Road which overlooks the subject site.

LEP Clause 5.10 – Heritage Conservation

The subject site is not a heritage item and not located within a heritage conservation area.

LEP Clause 7.1 – Acid Sulfate Soils

The majority of the site is identified as containing Class 5 acid sulfate soils with Class 1 acid sulphate soils adjoining the shoreline. As the works do not involve any excavation and will not lower the water table below 1 metre Australian Height Datum on the adjacent Class 1 Land an acid sulfate management plan is not required.

LEP Clause 7.3 – Flood Planning

The lot is not subject to flood risk.

LEP Clause 7.5 – Coastal Risk Planning

The subject site is not identified as being at risk on the Coastal Risk Map.

LEP Clause 7.6 – Biodiversity

The lot is identified as being subject to this clause. The proposed first floor additions and alterations will have no impact on the surrounding environment and no changes are proposed to the existing landscaping.

LEP Clause 7.7 – Geotechnical Hazards

The subject site is identified as Geotechnical Hazard H1. As the proposed alterations and additions are restricted to the first floor and are situated well back from the foreshore and no excavation is proposed there is minimal geotechnical risk.

LEP Clause 7.8 – Limited Development on Foreshore Area

The foreshore building line (FSBL) runs through the middle of the existing dwelling. Accordingly, the existing balcony is located entirely in front of the FSBL within the foreshore area. The proposed first floor balcony is also located in this foreshore area but will not increase the incursion into this area as it is set back 0.6m from the front of the existing balcony edge.

The proposed alterations and additions achieve the objectives of this clause. They will have no impact on natural foreshore processes and will not adversely affect the significance or amenity of the area. There is currently no public access to the waterway within the subject site and limited access along the foreshore area between the existing retaining wall and embankment. As the proposed works are located within the bounds of the property between the existing pool and dwelling the will not impact public access.

The extension, alteration and rebuilding of an existing dwelling is permitted within the foreshore area provided it will not result in the footprint of the building extending further into the foreshore area. As shown on A101 Ground Floor Plan the proposed balcony will not increase the footprint of the building at ground level. In addition, as shown in the diagram below the proposed balcony extension is contained within the extremities of the existing dwelling, defined by the existing balcony and north-eastern wall of the house.

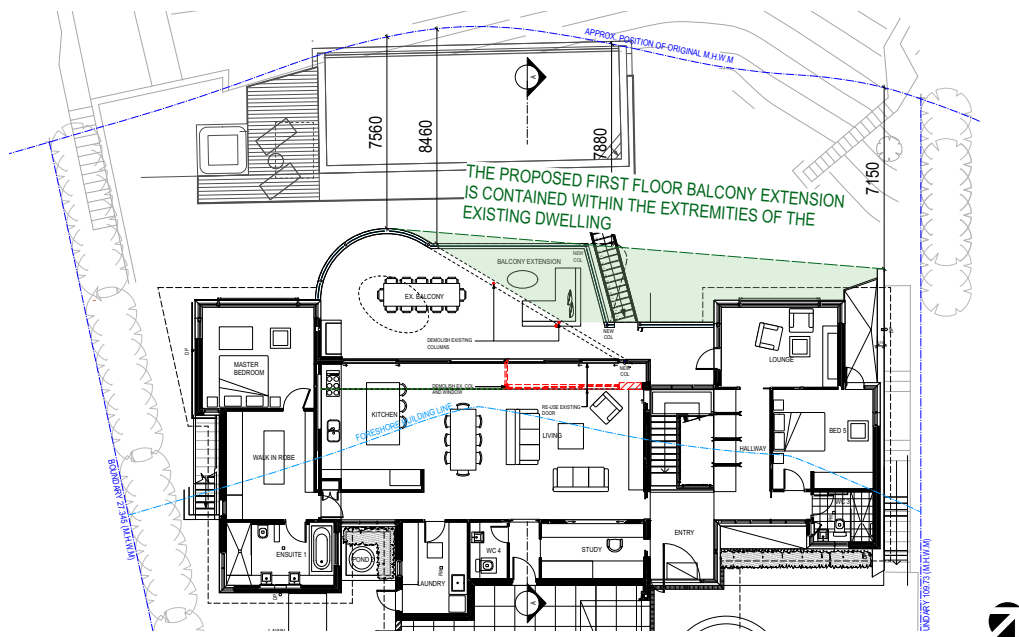


Diagram 1: The proposed first floor balcony extension is contained within the extremities of the existing dwelling. Setbacks to the rear boundary M.H.W.M are shown.

The proposed balcony extension achieves the objectives of the E4 Environmental Living Zone. It is a low impact addition that is integrated within the existing building mass and is of an appropriate scale. The existing building has a low profile and substantial landscaping along the foreshore embankment which integrates it within the surrounding landform. The proposed works will not substantially alter this relationship. The proposed extension is

located above an existing grass lawn and will not impact the existing foreshore vegetation and wildlife corridors.

The proposed balcony extension will not substantially change the appearance of the existing dwelling as viewed from the Pittwater waterway and adjacent foreshore areas. As shown on SK08 External Finishes Schedule all of the proposed finishes have been selected to match the finishes of the existing dwelling and when finished it will be indistinguishable from the existing building form.

The proposed works will not cause environmental harm provided the appropriate measures are implemented during construction as shown SK09 Sediment and Erosion Control Plan. No trees or native vegetation will be removed by the proposed works.

There is currently limited public access along the narrow strip of land between the existing sea wall and vegetated embankment. The proposed balcony extension is located above this embankment within the site's boundaries and will have no impact on the existing public access along the foreshore nor the amenity or aesthetic appearance of the foreshore. The proposed location of the balcony ensures that it will not be impacted by sea level rise, coastal erosion and recession as a result of climate change.

4.2 PITTWATER DEVELOPMENT CONTROL PLAN

DCP Clause A3.4 – Key objectives of the Pittwater DCP

The proposed alterations and additions achieve the applicable key environmental and social objectives of the Pittwater DCP and will substantially improve the amenity of the existing dwelling for its occupants.

DCP Clause A4.10 - Newport Locality

The proposed development achieves the desired future character of the Newport Beach Locality in which it is located. The proposed first floor balcony extension is set back approximately 0.6m from the edge of the existing balcony closest to the foreshore and is contained within the extremities of the existing building as previously shown. Its location in the middle of the existing dwelling ensures there is no impact on overlooking and view loss to surrounding properties.

DCP Clause B1.4 – Aboriginal Heritage Significance

The site is not identified as one of aboriginal archaeological significance and no excavation is proposed.

DCP Clause B3.1 – Landslip Hazard

The proposed balcony extension is situated above the ground and are located between the existing dwelling and pool. Accordingly, there is minimal landslip risk.

DCP Clause B3.2 – Bushfire Hazard

The subject site is not identified as being subject to Bushfire Hazard on the Pittwater Bush Fire Prone Land Map 2013 nor the Final Draft Northern Beaches Bush Fire Prone Land Map 2018.

DCP Clause B3.6 – Contaminated Land

The land is unlikely to have been used for any use that could cause contamination.

DCP Clause B4 – Controls Relating to the Natural Environment

The proposed development will not result in any adverse impact to the existing vegetation on the site and no changes to existing landscaping a proposed.

DCP Clause B5 – Water Management

As the development does not result in an additional hard (impervious) surface area of greater than 50m², an On-Site Detention (OSD) facility or any improvement to the stormwater system is not required.

DCP Clause B8 - Site Works Management

The submitted Erosion and Sediment Control plan details the measures that will be during construction to prevent the migration of sediment into the adjacent Pittwater waterway or adjoining sites.

DCP Clause C1.1 – Landscaping

No changes are proposed to the existing landscaping.

DCP Clause C1.3 – View Sharing

The proposed first floor balcony is located 0.6m from the edge of the existing balcony closest to the foreshore and is predominantly contained within the extremities of the existing building as previously shown. Its location in the middle of the existing dwelling ensures that there will be minimal impact on the views of the surrounding properties.

The dwelling at No. 140 Crescent Road which is situated behind to the south-east currently overlooks the subject property. As the top of the upper metal roof of the existing dwelling is located 1.1m above the proposed concrete roof of the balcony extension there will be no impact on the existing views from 140 Crescent Road.

DCP Clause C1.4 – Solar Access

The proposed balcony extension is self-shadowing and will not result in any impact on solar access to adjacent properties.

DCP Clause C1.5 – Visual Privacy

The proposed first floor balcony has been centrally located to minimise overlooking of neighbours and preserve their privacy. The proposed extension of the first floor living room is contained within the extent of the existing balcony and will not have any additional impact.

DCP Clause D10.1 – Character as viewed from a public place

As shown in SK10 and SK11 the proposed balcony extension will not drastically alter the appearance of the existing dwelling and its character as viewed from the foreshore will be almost unchanged.

DCP Clause D10.8 – Front building line**DCP Clause D10.9 – Side and rear building line**

The subject site has its main frontage off the accessway from Crescent Road. The driveway leading to the site separates the building from the street, and therefore the subject site is not visible from the road.

The rear setback control for the E4 Environmental living zone is 6.5m other than where the foreshore building line applies. It is noted that the foreshore building line runs through the existing building, which is an existing non-compliant condition. The aim of the foreshore building line is to control setback and respect the topography of the shoreline. The proposed balcony extension within this setback is minimal and does not substantially increase the existing buildings incursion into the foreshore area.

As the foreshore building line runs through the middle of the existing dwelling a 6.5m setback from the rear boundary (Mean High Water Mark) is more applicable. As shown in *Diagram 1* above the existing dwelling complies with the 6.5m setback and varies between 7.15m on its north-eastern edge and 7.56m at the edge of the existing first floor balcony closest to the foreshore. The proposed balcony extension exceeds these existing setbacks and is setback 7.88m on its northern edge and 8.46m on its southern edge. Accordingly, the proposed works comply with the rear setback control.

DCP Clause D10.11 – Building envelope

The development controls specify a building envelope to the side boundary 45 degrees extending from 3.5m above existing ground level to the maximum building height. The proposed first floor balcony is centrally located and therefore complies with this control.

DCP Clause D10.14 – Landscaped Area - Environmentally Sensitive Land

Total landscaped area to be 60% of site area.

Site Area 1011m² (excluding access driveway)

Existing

Landscaped Area 457.9 m²

Variation – 6% of site area for recreation 60.6m²

Total Landscape Open Space 518.5m² (51% of Site Area)
(including Variation)

Proposed

No change to existing condition proposed.

The existing condition has a landscaped area that is 51% of the site area. This is a minor non-compliance with the controls and no change is proposed.

The minor non-compliance in landscaped area of the existing condition is justifiable given the site retains extensive existing landscaping along the foreshore.

5.0 CONCLUSION

The proposed alterations and additions are minor in nature and aim to improve the amenity of the existing dwelling. They will have minimal impact on the surrounding properties and will not result in any loss of views, privacy or solar access. It is submitted that the proposed alterations and additions are both reasonable, appropriate and in accordance with the desired future of the locality.

The proposed works comply with the aims and objectives of Council's Controls and Policies.

We believe this is a quality addition to the Newport Locality, no person will be prejudiced by its approval and that consent should be granted to this application.