

STATEMENT OF ENVIRONMENTAL EFFECTS

40 WILLOW TREE CRESCENT, BELROSE

**DWELLING ALTERATIONS AND ADDITIONS & ATTACHED
SECONDARY DWELLING**

**PREPARED ON BEHALF OF
Mr & Mrs Kerr**

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1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling and an attached secondary dwelling upon land identified as Lot 8 in DP 260953 which is known as **No. 40 Willow Tree Crescent, Belrose**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Warringah Local Environmental Plan 2011.
- Warringah Development Control Plan 2011.

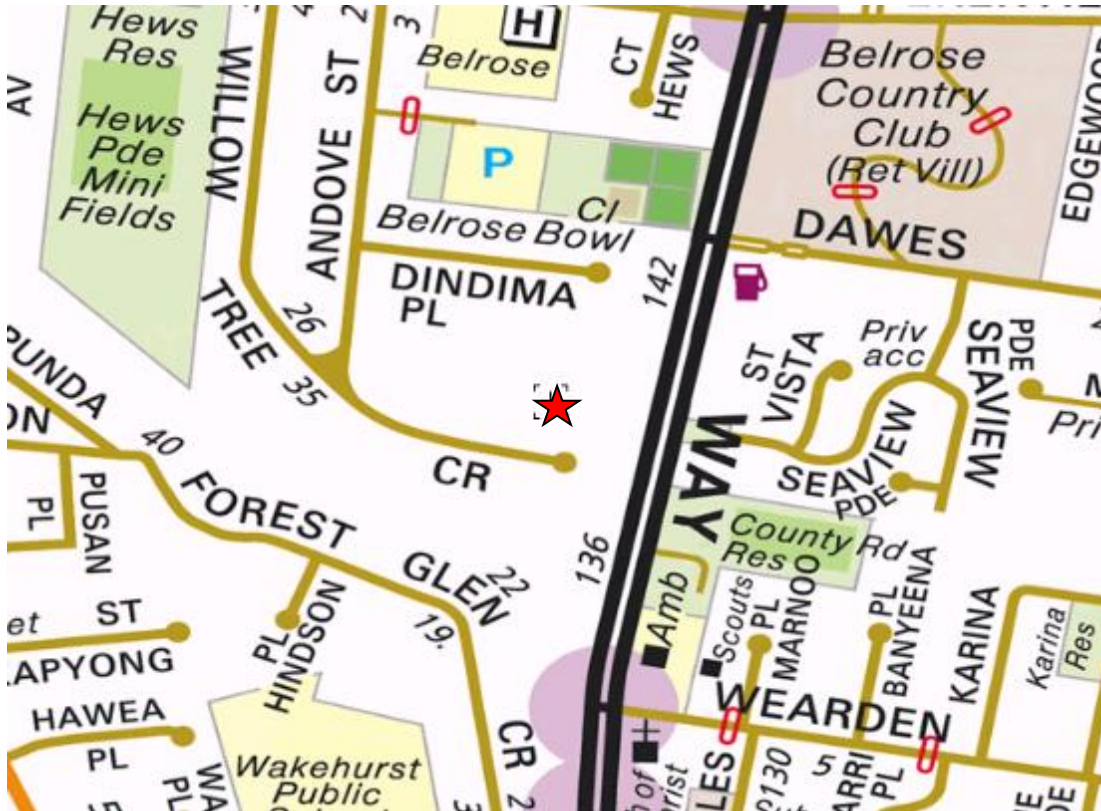
The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by CMS Surveyors Pty Ltd, Job No. 17490, dated 8/01/18.
- Architectural Plans prepared by Sally Gardner Design & Draft, Job No. 3-0118 and dated 30 July 2019.
- BASIX Certificate #A349692_02 issued, 4 October 2019 and #1019616S_02, issued 4 October 2019.
- Waste Management Plan.

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.

2. SITE DESCRIPTION AND LOCALITY

The subject site is identified as Lot 8 in DP 260953 which is known as 40 Willow Tree Crescent, Belrose. The site is located at the northern side of Willow Tree Crescent with a street frontage of 18.32m. The site has an area of 933.2m² with a depth of 51.3m. The locality is depicted in the following map:



Site Location Map

The site is currently occupied by a single storey brick dwelling with a pitched tiled roof. An attached carport/garage structure is located forward of the dwelling and orientated perpendicular to the street frontage. A bitumen driveway with the cross over located adjacent to the eastern boundary provides vehicular access to the site. An inground pool is located in the rear yard. There is no significant vegetation on site. The site is relatively level with a slight fall of less than 1m from the rear boundary towards the street.

The site is depicted in the following photographs:



View of Subject Site from Willow Tree Crescent

The existing surrounding development comprises a mix of one and two storey detached residential dwellings on generally larger sized allotments to the subject site, interspersed with some residential flat buildings. More recent development comprises larger two storey dwellings of modern appearance.

The subject site and existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions to an existing dwelling and an attached secondary dwelling. The proposed additions are to be constructed of external cladding with metal roof.

The proposed additions are to the front of the existing dwelling with setbacks ranging from 7.155m to 8.845m to the street frontage. Setbacks of 2.065m and 1.03m are provided to the eastern and western boundaries, respectively.

The additions to the existing dwelling provide for a new entry, double garage, bedrooms and living area. The attached secondary dwelling is located at the southwest corner of the dwelling. This dwelling provides for a bedroom, study, kitchen, dining/living room, bathroom and laundry.

All collected stormwater will continue to discharge to the street gutter.

The proposal will result in the following numerical indices:

Site Area:	933.2m ²
Existing Landscaped Area:	249.32m ² or 26.72%
Proposed Landscaped Area:	227.41m ² or 24.37%

4. ZONING & DEVELOPMENT CONTROLS

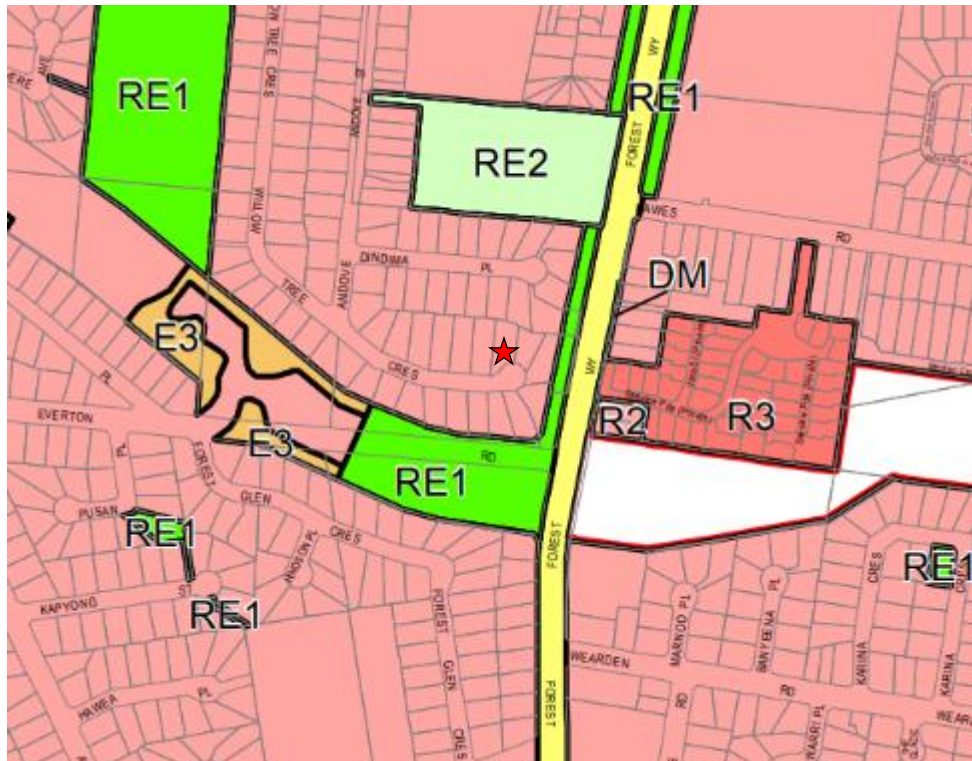
The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Warringah Council.

4.1 Planning for Bushfire Protection 2006

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.

4.2 Warringah Local Environmental 2011

The Warringah Local Environmental Plan 2011 (LEP 2011) came into effect on Friday 9 December 2011.



Extract of Zoning Map

The site is zoned R2 Low Density Residential. Development for the purposes of alterations and additions to an existing dwelling house and a secondary dwelling are permissible in this zone with the consent of Council. The following Development Standards specified in the LEP are relevant to the proposed development:

Clause	Development Standard	Proposal	Compliance
4.3 Height	8.5m	<8.5m (refer to plans)	Yes

The following provision is also relevant:

Clause 5.4 Controls Relating to Miscellaneous Permissible Uses

Subclause 9 provides:

If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:

- (a) 60 square metres,
- (b) 11% of the total floor area of the principal dwelling.

The proposal provides for an attached secondary dwelling with an area of 59.53m² which complies with this clause.

Clause 6.4 Development on Sloping Land

The site is classified as Class A on Council's Landslip Map. No further information is required in this regard

There are no other provisions of the Warringah Local Environmental Plan 2011 that apply to the proposed development.

4.3 Warringah Development Control Plan 2011

The Warringah Development Control Plan (DCP) has been prepared by Council and was due to come into effect upon the gazettal of the LEP 2011. The new DCP contains detailed planning controls that support LEP 2011.

The following table provides a summary of the relevant controls of the DCP:

Clause	Requirement	Compliance
B1 – Wall heights	7.2m	Yes Proposal is single storey and complies with this control.
B2 – Number of storeys	Not Applicable	Not Applicable

Clause	Requirement	Compliance
B3 - Side Boundary Envelope	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment	Yes
B4 – Site Coverage	Not Applicable	Not Applicable
B5 - Side Boundary setbacks	Minimum: 0.9m	Yes Proposed additions are setback at 2.065m and 1.03m to the eastern and western side boundaries, respectively
B7 – Front Boundary Setbacks	Minimum 6.5m	Yes The proposed additions are setback between 7.155m and 8.845m to the front boundary. These setbacks comply with the DCP requirement and are compatible within the existing streetscape.
B9- Rear Boundary Setbacks & B10 Merit Assessment of Rear Setbacks	6.0m	Yes The proposed additions do not encroach the existing rear setback.
B11 – Foreshore Building Setback	Not applicable	Not Applicable
B12 – National Parks Setback	Not applicable	Not Applicable
B13 – Coastal Cliffs Setback	Not applicable	Not Applicable
B14 – Main Roads Setback	Not applicable	Not Applicable
B15 – Minimum Floor to Ceiling Height	Not applicable	Not Applicable

Clause	Requirement	Compliance
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	Yes The existing vehicular cross over is retained.
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes The proposal provides for a new double garage. The garage is located behind the required front building setback. The single storey design and well-articulated front façade ensure for an appropriate presentation to the street.
C4 - Stormwater	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	Yes All collected stormwater will continue to be discharged to the street gutter.
C5 – Erosion and Sedimentation	Soil and Water Management required	Yes A Soil Erosion Management Plan has been prepared and forms part of the submission to Council.
C6 - Building over or adjacent to Constructed Council Drainage Easements	Not Applicable	Not Applicable
C7 - Excavation and Landfill	Site stability to be maintained	Yes The proposal does not provide for any significant excavation.
C8 – Demolition and Construction	Waste management plan required	Yes Waste Management Plan submitted.

Clause	Requirement	Compliance
C9 – Waste Management	Waste storage area to be provided	Yes There is sufficient area on site for waste and recycling bins.
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	<p>The proposal provides for a landscaped open space of 227.41m² or 24.37%. Whilst this does not strictly comply with the numerical requirements it is considered appropriate in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The proposal provides for single storey addition to meet the needs of the owner. • The proposal maintains the landscaped area and private open space in the rear yard. The front yard provides for sufficient landscaped area which can accommodate small trees and shrubs. • The proposal does not require the removal of any significant trees and the existing street tree is being retained. • The proposal provides for a landscaped area and built form that is compatible with the existing surrounding development.

Clause	Requirement	Compliance
		<ul style="list-style-type: none"> • All collected stormwater will be discharged to the street gutter and the proposal will not result in additional runoff to the adjoining properties. • The proposal is improving landscaping between the surrounding development. This has been achieved by removing the existing driveway turning area and providing landscaping adjacent to the eastern boundary.
D2 - Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	Yes Proposal maintains sufficient private open space in the rear yard which complies with this clause.
D3 - Noise	Mechanical noise is to be attenuated to maintain adjoin unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Not Applicable
D4 – Electromagnetic Radiation	Not Applicable	Not Applicable

Clause	Requirement	Compliance
D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements	Yes The proposed additions will receive good solar access throughout the year. A BASIX certificate has been issued and forms part of the submission to Council.
D6 – Access to sunlight	The controls require that sunlight to at least 50% of the private open space of both the subject and adjoining properties' private open space receives not less than three hours sunlight between 9am – 3pm on 21 June winter solstice.	Yes The additions are single storey and will not result unreasonable overshadowing. Shadow diagrams are not required.
D7 - Views	View sharing to be maintained	Yes The subject site does not currently enjoy any significant views.
D8 - Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	Yes The additions have been designed to ensure privacy of the adjoining properties is maintained. The additions are single storey and as such will not provide any direct views into the adjoining properties. The proposal is provided with a 2.0m landscaped setback to the eastern boundary.

Clause	Requirement	Compliance
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby properties & not to visually dominate the street.	Yes The proposal presents as a single storey dwelling. The additions are well articulated with varied front setbacks and architectural relief. It is considered that the resultant dwelling complements the streetscape and is compatible with the surrounding dwellings. It is noted that the dwelling is adjoined by two large dwellings on either side.
D10 – Building Colours and materials	External finishes and colours sympathetic to the natural and built environment	Yes External finishes selected to be compatible with the existing surrounding development and the natural environment.
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	Yes The proposal provides for additions with a roof form to match the existing dwelling.
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	Yes The proposal will not result in unreasonable glare or reflection.
D13 - Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street.	Not Applicable

Clause	Requirement	Compliance
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities.	Yes Existing facilities retained.
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	Not Applicable
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	Not Applicable
D17 – Tennis Courts	N/A	Not Applicable
D18 - Accessibility	Safe and secure access for persons with a disability to be provided where required.	Not Applicable
D19 – Site Consolidation in the R3 and IN1 Zone	Not Applicable	Not Applicable
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	Yes The dwelling and secondary dwelling will provide a good outlook of dwelling approach and street.
D21 – Provision and Location of Utility Services	Utility services to be provided.	Yes Existing facilities on site.

Clause	Requirement	Compliance
D22 – Conservation of Energy and Water	A BASIX Certificate is required.	Yes
D23 - Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views or potentially hazardous road features or traffic control devices.	Not Applicable
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented.	Not Applicable
E2 – Prescribed Vegetation	Not identified on map	Not Applicable
E3 – Threatened species, populations, ecological communities	Not identified on map	Not Applicable
E4 – Wildlife Corridors	Not identified on map	Not Applicable
E5 – Native Vegetation	Not identified on map	Not Applicable
E6 - Retaining unique environmental features	Unique or distinctive features within a site to be retained	Not Applicable
E7 – Development on land adjoining public open space	N/A – not identified on map	Not Applicable
E8 – Waterways and Riparian Lands	Not identified on map	Not Applicable
E9 – Coastline Hazard	Not identified on map	Not Applicable
E10 – Landslip Risk	Identified on map as A	No further information is required.

Clause	Requirement	Compliance
E11 – Flood Prone Land	Not Applicable	Not Applicable

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

5. EP & A ACT - SECTION 41.5

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. The site is zoned R2 Low Density Residential under the provisions of the LEP. Construction of alterations and additions to an existing dwelling house and an attached secondary dwelling are permissible with the consent of Council in this zone. It is considered that the provisions of this document have been satisfactorily addressed within this report and that the proposal complies with the relevant provisions.

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 alterations and additions to an existing dwelling and attached secondary without any detrimental impact on the environment, social and economic status of the locality.

The Suitability of the Site for the Development

The subject site is zoned R2 Low Density Residential and the construction of alterations and additions to an existing dwelling house and a secondary dwelling in this zone is permissible with the consent of Council. The resultant dwelling is of a bulk and scale that is consistent with the existing surrounding development.

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 alterations and additions to an existing dwelling and an attached secondary dwelling that is consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

6. CONCLUSION

This application seeks approval for the construction of alterations and additions to an existing dwelling and attached secondary dwelling. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011. The proposed development 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 alterations and additions to an existing dwelling and attached secondary dwelling at **No. 40 Willow Tree Crescent, Belrose** is worthy of the consent of Council.

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