

Statement of Environmental Effects

ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING

15 MAITLAND STREET, DAVIDSON

Prepared under instructions from

JAVIER PISCIOTTANO & MARISA ORBEA

by

LEUNG ARCHITECTS

25 Killarney Drive, Killarney Heights

JUNE 2019

TABLE OF CONTENTS

1.0 INTRODUCTION

2.0 SITE DESCRIPTION AND LOCATION

3.0 DEVELOPMENT PROPOSAL

4.0 STATUTORY PLANNING ASSESSMENT

4.1 General

4.2 Warringah Local Environmental Plan 2011

4.2.1 Zone and Zone Objectives

4.2.2 Height of Buildings

4.3 Warringah Development Control Plan

4.3.1 Wall Height

4.3.2 Number of Storeys

4.3.3 Side Boundary Envelope

4.3.4 Side Boundary Setbacks

4.3.5 Front Boundary Setbacks

4.3.6 Rear Boundary Setbacks

4.3.7 Parking Facilities

4.3.8 Stormwater

4.3.9 Landscaped Open Space

4.3.10 Private Open Space

4.3.11 Access to Sunlight

4.3.12 Views

4.3.13 Privacy

4.3.14 Building Bulk

4.3.15 Glare and Reflection

4.3.16 Landslip Risk

4.4 Compliance Table

4.5 Matters for Consideration Pursuant to section 79C(1) of the EP&A Act

5.0 CONCLUSION

ANNEXURES

ANNEXURE 1 Architectural Plans

1.1 INTRODUCTION

This document has been prepared as a component of a development application proposing the alterations and additions to the existing dwelling house located on the subject allotment.

Specifically the application proposes a new timber deck to the rear of the dwelling, a new roof over the deck, a new pergola & new decking around the existing swimming pool.

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

- The Environmental Planning and Assessment Act, 1979 as amended ("The Act").
- The Environmental Planning and Assessment Regulation ("The Regulation").
- Warringah Local Environmental Plan 2011 ("The LEP").
- Warringah Development Control Plan 2011 ("The DCP").

Architectural drawings including floor plans, sections and elevations have been prepared in relation to the development proposed. The application is also accompanied by a survey and a site analysis plan.

The proposed works are permissible and generally compliant with the built form controls applicable to this form of development on this particular site having regard to the setbacks established by the existing dwelling. The proposal will not give rise to any streetscape or residential amenity consequences.

The proposal succeeds when assessed against the Heads of Consideration pursuant to s79C of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, succeeds on merit and is appropriate for the granting of consent.

2.0 SITE DESCRIPTION AND LOCATION

The site known as Lot 11, DP240055, No.15 Maitland Street, in Davidson is rectangular in shape. The site has a frontage of 18.29m and a depth of 38.1m, and a site area of 697 square metres. The site is identified as Area A on the Warringah Landslip Risk Map. The site is zoned under R2 Low Density Residential of the Warringah LEP2011. The site is categorized under Bush Fire Prone Land: Buffer – 100m & 30m.

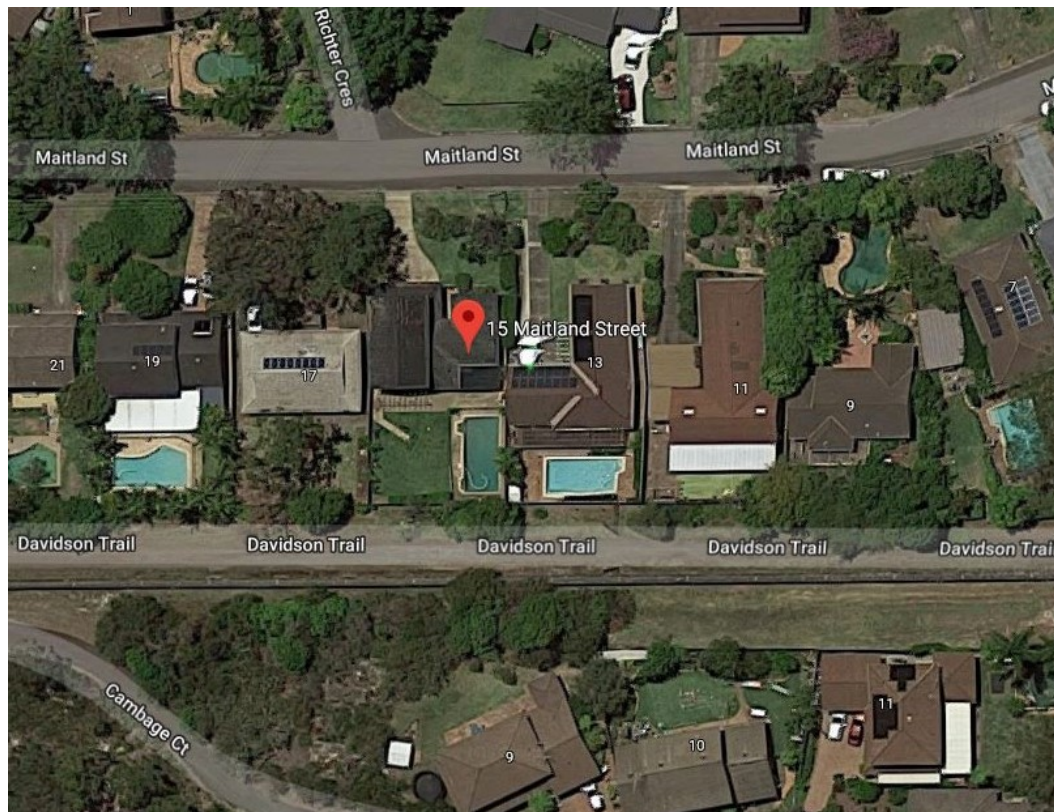


Figure 1: Aerial Location Map

Source: Google Maps

The subject property is occupied by a single 2 storey rendered brick residence with a tiled & gabled roof. The modest dwelling incorporates a double garage and has been set back 9.1m from the front boundary.

The property to the East is occupied by a 1 & 2 storey brick residence with a tiled roof. The property to the West is occupied by a 1 storey brick residence with tiled roof.

3.0 DEVELOPMENT PROPOSAL

The scope of works is depicted on plans GA01B, GA02A & GA03A a reduced copy of which is attached and marked **ANNEXURE 1**.

Ground Floor

The application proposes a new timber deck to the rear of the dwelling, this deck will be sitting on top of the existing terrace concrete slab. A new flat metal roof is proposed over this deck to provide shade and cover, as well as a small pergola to the east of this deck.

In addition, new timber decking is proposed around the existing swimming pool. New pool fencing and pool gate shall be installed to upgrade the existing metal pool fence.

The proposed works do not require the removal of any trees or landscape features. There will be an overall increase in landscaped area from the removal of an existing concrete pathway. All stormwater will be connected into the existing stormwater disposal system.

4.0 STATUTORY PLANNING ASSESSMENT

4.1 General

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 79C of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate any potential adverse environmental impacts are discussed below.

4.2 Warringah Local Environmental Plan 2011

4.2.1 Zone and Zone Objectives

The subject property is zoned R2 Low Density Residential pursuant to the provisions of the Warringah Local Environmental Plan 2011 (WLEP). Dwelling houses are permissible in the zone with consent.

The stated zone objectives 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.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

This report demonstrates that the development is permissible and not antipathetic to the zone objectives.

4.2.2 Height of Buildings

Pursuant to clause 4.3 WLEP the height of any building on the land shall not exceed 8.5 metres above existing ground level. The stated objectives of this clause are as follows:

- (a) *to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (b) *to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*
- (c) *to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,*
- (d) *to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.*

The existing dwelling has a maximum height of 7.5m. The proposed rear roof extension has a maximum height of 4 metres. The height and scale of the development will be entirely commensurate with that established by adjoining development and development generally within the sites visual catchment with no adverse residential amenity impacts in terms of view loss, visual bulk or overshadowing.

Accordingly, council can be satisfied that the development complies with the 8.5 metre control and its underlying objectives.

4.3 Warringah Development Control Plan

The following built form controls apply to the subject development.

4.3.1 Wall Height

Pursuant to these provisions walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space). The existing two storey dwelling is well under the DCP maximum wall height. – *Refer 4.4. Compliance Table.*

4.3.2 Number of Storeys

The existing dwelling presents as a 2 storey house. This proposal does not propose any additional storeys.

4.3.3 Side Boundary Envelope

Pursuant to these provisions buildings must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of 4 metres.

The existing dwelling is compliant with the 45 degree plane and side boundary envelope. The proposed flat roof over the new deck also sits well under this side boundary envelope.

4.3.4 Side Boundary Setbacks

Pursuant to these provisions the development maintains a 900mm minimum setback from side boundaries. Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences. Consent may be granted to allow a single storey outbuilding, carport, pergola or the like that to a minor extent does not comply with the requirements of this clause.

The proposed works lies within the side boundary setback requirement of 900mm.

4.3.5 Front Boundary Setbacks

In accordance with this control a minimum front setback of 6.5 metres applies. The existing dwelling is set back 9.1m from the front boundary. The proposed works is to the rear of the dwelling and is therefore not applicable.

4.3.6 Rear Boundary Setbacks

In accordance with this control a minimum setback of 6m to the rear boundary of the allotment applies. The proposed works lies well behind the minimum setback controls.

4.3.7 Parking Facilities

These provisions require the provision of 2 off-street car parking spaces located behind the front building alignment.

The current attached garage provides 2 car spaces.

4.3.8 Stormwater

As there is no increase in impervious area, no on-site storm water detention is required. The proposal provides a reduction of impervious area of 4.74m² through the removal of an existing concrete pathway.

All storm water will be connected to the existing gravity fed drainage system which drains to Maitland Street.

4.3.9 Landscaped Open Space

Pursuant to these provisions a minimum 40% landscaped open space is to be provided.

The site currently has a landscaped area as defined of 289.82m² representing 41.6% of the site area.

The proposal provides an increased landscaped area percentage of 42.3% (294.56m²) through the removal of an existing concrete path.

4.3.10 Private Open Space

The proposal maintains compliant areas of private open space which are of a size and dimension capable of accommodating both passive and active recreational activities. These areas receive good levels of solar access

and amenity throughout the day.

4.3.11 Access to Sunlight

Pursuant to these provisions development is not to unreasonably reduce sunlight to surrounding properties. In the case of housing:

- Sunlight, to at least 50% of the principle private open spaces, is not to be reduced to less than 2 hours between 9am and 3pm on June 21, and
- Where overshadowing by existing structures and fences is greater than this, sunlight is not to be further reduced by development by more than 20%.

The proposed works will have no impact on access to sunlight or lead to overshadowing of adjoining private open space.

4.3.12 Views

The proposal retains the existing views to, from and through the site and meets the objectives of the WDCP

4.3.13 Privacy

A new timber privacy screen is proposed to the west end of the new deck area, which will improve privacy with the adjoining property at 17 Maitland Street. The rest of the proposed works do not present any significant modifications which impact on adjoining property privacy.

4.3.14 Building Bulk

The scale and massing of the existing dwelling is entirely commensurate with that of development within Maitland Street and development within the sites visual catchment.

The proposed new works involving a rear deck and roof are minimal and sits within the footprint of the existing concrete terrace. Two timber pergola structures currently exist over the rear concrete terrace. As such the proposal which combines these structures into one cohesive roof form is not a significant modification to the existing rear yard massing.

4.3.15 Glare and Refection

The material for the new roof shall be in Colorbond steel and will take into account glare and reflection through the use of a colour in the medium and dark range.

4.3.16 Landslip Risk

The subject site is classified as Landslip “Area A”. No Geotechnical Risk Assessment is required

4.4 Compliance Table

Site Area 697sqm	Control	Existing	Proposed	Compliance
Building Height	8.5m to ridge 7.2m to ceiling	7.2m to ridge	No change	YES
Front Building Setback	6.5m	9.1m	No change	YES
Rear Building Setback	6m	15.9m	12.62m New works within	YES
Side Setback and Building Envelope	0.9m 4 metres/ 45 degree	0.9m -1.53m	No change New works within	YES
Landscaped Open Space	40% of Site Area	289.82m ² 41.6% of Site Area	294.56m ² 42.3% of Site Area	YES
Car Parking	2 spaces	2 Spaces	No change	YES

4.5 Matters for Consideration Pursuant to Section 79C(1) of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 79C of the Environmental Planning and Assessment Act 1979(as amended). Guidelines (*in italic*) to help identify the issues to be considered have been prepared by the Department of Urban Affairs and Planning. The relevant issues are:

4.5.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations.

The proposed works are permissible and compliant with the built form controls applicable to this form of development on this particular site.

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Context and Setting

- i) *What is the relationship to the region and local context on terms of:*
- *the scenic qualities and features of the landscape?*
 - *the character and amenity of the locality and streetscape?*
 - *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
 - *the previous and existing land uses and activities in the locality?*

The existing dwelling sits well below the 8.5 metre height control. Further, the height and scale of the development will be entirely commensurate with that established by adjoining development and development generally within the sites visual catchment with no adverse residential amenity impacts in terms of views, privacy or overshadowing.

- ii) *What are the potential impacts on adjacent properties in terms of:*
- *relationship and compatibility of adjacent land uses?*
 - *sunlight access (overshadowing)?*
 - *visual and acoustic privacy?*
 - *views and vistas?*
 - *edge conditions such as boundary treatments and fencing?*

These matters have been discussed in detail earlier in this report. The works have been designed such that potential impacts are minimal and within the scope of the built form controls.

Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*

- dependency on motor vehicles?
- traffic generation and the capacity of the local and arterial road network?
-
- public transport availability and use (including freight rail where relevant)?
- conflicts within and between transport modes?
- traffic management schemes?
- vehicular parking spaces?

The proposal retains 2 compliant car parking spaces.

Public domain

The proposed development will have no adverse impact on the public domain.

Utilities

Existing utility services will adequately service the development.

Flora and fauna

The proposal does not require the removal of any flora or fauna.

Waste collection

Normal domestic waste collection applies to future dwelling house development.

Natural hazards

The subject site has a classification of Landslip Risk Class A. The subject site is on bushfire prone land and a report by bushfire planning services comprehensively addresses this matter and makes recommendations to council.

Economic impact in the locality

The proposal will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period of the development.

Site design and internal design

- i) *Is the development design sensitive to environmental conditions and site attributes including:*

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The potential impacts are considered to be minimal and within the scope of the built form controls.

ii) How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety.

Construction

i) What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Normal site safety measures and procedures will ensure that no site safety or environmental impacts will arise during construction.

4.5.2 The suitability of the site for the development.

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual or development constraints. The site is well located with regards to public transport and utility services. The development will not cause excessive or unmanageable levels of transport demand.

Are the site attributes conducive to development?

The site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed development.

4.5.3 Any submissions received in accordance with this Act or the regulations.

It is envisaged that Council will appropriately consider any submissions received.

4.5.4 The public interest.

The proposed works are permissible and compliant with the built form controls applicable to this form of development on this particular site. The development would not be contrary to the public interest.

5.0 CONCLUSION

The proposed works are permissible and compliant with the built form controls applicable to this form of development on this particular site having regard to the front, rear and side setbacks established by the existing dwelling. The proposal will not give rise to any unacceptable streetscape or residential amenity consequences.

Having given due consideration to the matters pursuant to Section 79C of the Environmental Planning and assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.

Leung Architects

A handwritten signature in black ink, appearing to read 'Jeffrey Leung', is positioned above the printed name and title.

Jeffrey Leung
Director

ANNEXURE 1

Reduced Architectural Plan

