

STATEMENT OF ENVIRONMENTAL EFFECTS

10 ROSEDALE AVENUE, FAIRLIGHT

**CONSTRUCTION OF DWELLING ALTERATIONS AND
ADDITIONS & SWIMMING POOL**

**PREPARED ON BEHALF OF
Sketch Arc**

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1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling and new swimming pool on Lot 5 in DP 168232 which is known as **No. 10 Rosedale Avenue, Fairlight**.

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

- Environmental Planning & Assessment Act, 1979.
- Manly Local Environmental Plan 2013.
- Manly Development Control Plan 2013.

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

- Survey Plan prepared by Precision Surveying, Reference No. 19113 and dated 12-2-2021.
- Architectural Plans prepared by SketchArc, Project No. 2017 and dated 22.03.2021.
- Preliminary Geotechnical Assessment prepared by White Geotechnical Group, Ref No. J3159, Issue 1 and dated 23/12/2020.

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.

3. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 5 in DP 168232 which is known as No. 10 Rosedale Avenue, Fairlight. The site is generally rectangular in shape and is located on the north-eastern side of Rosedale Avenue. The site has an area of 397.5m², a street frontage of 12.19m and a depth of 32.615m. The locality is depicted in the following map:



Site Location Map

The property falls from the rear eastern corner (RL54.44) towards the front southwest corner (RL 43.15). The site currently comprises a two storey rendered brick dwelling with tiled roof. An attached lower-level garage is located forward of the main dwelling with terrace over. The garage is provided with a nominal setback to the street frontage. A number of rock outcrops dissect the rear of the site with the site rising steeply in the rear yard.

A paved pathway located on the southern side of the dwelling extends the length of the site and to the paved area at the rear of the site.

The site is characterised by informal gardens and does not comprise any significant vegetation. The site is not heritage listed nor is it located within a heritage conservation area.

The site is depicted in the following photographs:



View of the site from Rosedale Avenue

The existing surrounding development comprises a variety of multi-level dwellings on varied allotment sizes. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

4. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions to the existing dwelling including a swimming pool.

The proposal provides for an addition to the existing front deck of the first floor level. The addition to the deck provides for a setback of 3.488m to the street frontage and a setback of 1.497m to the southern side boundary.

The proposal provides for a new swimming pool in the rear eastern corner of the site. The pool provides for a setback of 1.0m to the southern side boundary and at least 1.706m to the eastern side boundary.

All collected stormwater will continue to be directed to the street gutter in accordance with the Stormwater Plan submitted with the application.

The proposal will result in the following numerical indices:

Site Area:	397.5m²
Existing FSR:	219.1m² or 0.55:1
Proposed FSR:	219.1m² or 0.55:1
Proposed Total Open Space:	227.4m² or 57.2%
Proposed Landscaped Area:	125.95m² or 57.6% of total open space

5 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 Manly Council.

5.1 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 to the proposed development.

5.2 Manly Local Environmental 2013



Extract of Zoning Map

The subject site is zoned R1 General Residential. The objectives of the R1 Zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

It is considered that the proposed development achieves these objectives by:

- Providing minor additions/alterations to the existing dwelling which is permissible in this zone.
- Retaining the existing amenity to the surrounding residences.

- Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.

Alterations and additions to semi-detached dwellings are permissible use in the R1 General Residential zone with the consent of Council.

The following numerical standards are applicable to the proposed development:

Clause	Development Standard	Proposal	Compliance
Clause 4.3 Height of Buildings	8.5m	Less than 8.5m – refer to plans	Yes
Clause 4.4 Floor Space Ratio	0.6:1	219.1m ² or 0.55:1	Yes (no change proposed)

The following clauses also apply:

Clause 6.1 Acid Sulfate Soils

The subject site is classified as Class 5 on the acid sulfate soil map. The proposal does not result in any excessive excavation and will not alter the existing water table.

Clause 6.9 Foreshore Scenic Protection Area

The site is located within the foreshore scenic protection area. However, given the minor nature of the development including that it is lightweight and unenclosed the proposal is not likely to detract from the visual amenity when viewed from the harbour or surrounding foreshore. No further information is required in this regard.

There are no other specific clauses that specifically relate to the proposed development.

4.3 Manly Residential Development Control Plan 2013

The Manly DCP 2013 applies to all land where the LEP applies. Therefore, the DCP applies to the subject development.

Part 3

Part 3 provides general principles applying to all development and Part 4 outlines development controls for specific forms of development including residential. The relevant provisions of **Part 3** are summarised below:

Clause 3.1.1 – Streetscape (Residential Areas)

The proposed additions are relatively minor and do not result in unreasonable bulk or scale. The proposed extension to the upper first floor deck is compatible with the adjoining properties and will not detract from the streetscape. The proposed works are open, lightweight structures without a roof over.

Clause 3.3 - Landscaping

Further the proposal does not require the removal of any vegetation. The proposal provides for ample landscaping on site and in accordance with Council controls. No further information is required in this regard.

Clause 3.4 - Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

The objectives of the clause are noted as:

- | | |
|---------------------|---|
| <i>Objective 1)</i> | <i>To protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties.</i> |
| <i>Objective 2)</i> | <i>To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.</i> |

It is suggested that the works will achieve these objectives as:

- The side boundary setback provided to the proposed deck is consistent with the existing development on site.
- The proposed pool is located generally at ground level and will not permit overlooking to the adjoining properties.
- The proposal incorporates screen planting adjacent to the boundaries of the site to improve privacy.
- The materials and finishes will harmonise with the existing finishes.
- The proposed additions will not obstruct any existing views.
- The proposal continues to ensure 3 hours of solar access to at least 50% of the rear private open space on the winter solstice.

Clause 3.5 - Sustainability

A BASIX Certificate has been submitted with the application.

Clause 3.7 - Stormwater Management

All collected stormwater will continue to be connected to the street gutter in accordance with the Stormwater Management Plan submitted with the application.

Part 4

The following numerical provisions of **Part 4** are considered relevant to the proposal:

Clause/ Design Element	DCP Requirement	Compliance/Comments
Residential Density & Subdivision	Density Area D3 – 1 dwelling per 250m ²	Yes Site area is 397.5m ² and the proposal does not increase density.
Floor Space Ratio	Refer to LEP 0.6:1	Yes Proposal complies and there is no change to existing FSR.
Wall Height	Height – 6.5m	Yes Proposed works comply
Number of Storeys	Two Storeys	Yes
Roof Height	2.5m above wall height	Yes No change to existing roof.
Parapet Height: 600mm above wall height.	600mm above wall height	
Maximum Roof Pitch	35°	
Building Setbacks	Front Setback – Min. 6.0 metres or consistent with neighbouring.	The proposal provides for a setback of 3.488m to the street frontage. Whilst this does not comply with the numerical requirements of this clause it is considered justified in this instance for the following reasons: <ul style="list-style-type: none"> The proposal provides for a small addition to the existing front deck to improve its functionality.

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Secondary setback – same as side boundary setback</p> <p>Side Setback – 1/3 of the height of wall.</p>	<ul style="list-style-type: none"> • The setback provided is compatible with the established building line in this portion of Rosedale Road. In particular the setback is consistent with the setback provided by the upper level deck of the adjoining northern property, No. 12 Rosedale Road. • The proposal does not encroach the setback provided by the ground floor deck. It is noted that this portion of Rosedale Road is characterised by large 2 storey dwellings with attached garages forward of the dwellings with terraces over. These garage and terraces are provided with nominal setbacks to the street frontage. These decks/terraces have been designed to maximise views of the harbour to the west. • The addition to the upper level provides for articulation. • The structure is lightweight and does not dominate the streetscape. • The properties in this location are provided with a large road reserve, with a depth of approximately 9m. <p>N/A</p> <p>The proposed additions to the deck maintain a setback consistent with the existing dwelling on site. Increasing the side boundary setback would provide for an anaesthetic addition.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Walls without windows may be constructed to one side boundary only, providing the objectives of this part can be met and the applicant can demonstrate no disadvantage to the adjacent allotment through increased overshadowing, or loss of view and no impediment to property maintenance.</p> <p>Rear Setback – Minimum 8.0 metres</p>	<p>The proposal provides for landscaping along the boundaries of the site and adjacent to the proposed works.</p> <p>Not Applicable</p> <p>Yes There are no additions proposed to the rear of the dwelling.</p>
Landscaping/Open Space	<p>Open Space Area 3: Minimum total open space: 55% of site area.</p> <p>Minimum soft open space as 35% of total open space</p> <p>Minimum number of endemic trees: 1</p> <p>Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m².</p>	<p>Yes The proposal provides for 227.4m² or 57.2% of the site for total open space and a landscaped area of 125.95m² or 57.6% of the total open space.</p> <p>There is sufficient vegetation on site.</p> <p>Yes The proposal retains sufficient private open space in the rear yard.</p>
Parking and Access	Minimum 2 Spaces per Dwelling.	<p>Yes No change to existing parking.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Garages/carports shall be sited so as to not dominate the street frontage through the use of appropriate materials.</p> <p>Carports forward of the building line shall be open on all sides. Maximum width of structures forward of the building line is 6.2m or 50% of site width whichever is the greater.</p>	
First Floor Additions	<p>Additions may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues.</p> <p>Must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences</p>	<p>Yes</p> <p>As noted above the proposed deck addition maintains the existing side boundary setbacks.</p>
Swimming Pool	<p>Setback of pool concourse to be 1m to the side and rear boundary.</p> <p>Waters edge to be setback 1.5m.</p>	<p>The proposal provides for a setback of 1.7m to the rear boundary and 1.0m to the southern side boundary as measured from the waters edge.</p> <p>Whilst the proposal does not comply strictly with the side setback requirement it is considered appropriate in this instance for the following reasons:</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
		<ul style="list-style-type: none"> • The pool is located at ground level and will not permit overlooking to the adjoining property. • The proposal provides for landscaping adjacent to the boundaries of the site to improve privacy to the adjoining properties. • The pool is well separated from the habitable areas of the adjoining properties. • The site is located so as to minimise disruption to the natural rock outcrops.
Fences	Maximum height 1.0m for solid Maximum height 1.5m where at least 30% is transparent.	Not Applicable

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

6. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

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 additions to an existing dwelling without detrimentally impacting on the character of the area. The proposal does not result in the removal of any vegetation protected by Council's Tree Preservation Order. The design of the proposal is such that they do not result in any unreasonable loss of privacy.

The Suitability of the Site for the Development

The subject site is zoned R1 General Residential and the construction of alterations and additions to an existing dwelling house is permissible with the consent of Council. The resultant development is of a bulk and scale that is consistent with existing surrounding developments. The proposal does not result in the removal of any significant vegetation.

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 for additions to existing dwelling which are compatible with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain.

7. CONCLUSION

This application seeks approval for the construction of alterations and additions to an existing dwelling and new swimming pool. As demonstrated in this report the proposal is consistent with the aims and objectives of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. The proposal 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 of alterations/additions to an existing dwelling and new swimming pool upon land at **No. 10 Rosedale Avenue, Fairlight** is worthy of the consent of Council.

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