

## STATEMENT OF ENVIRONMENTAL EFFECTS

- Alterations and Additions to an existing dwelling house (changes at the rear of the existing house including a new alfresco outdoor area at ground level and replacement timber deck at first floor level)
- Minor external rear alterations (staircase, pool fencing and pool equipment)

### 45 Kirkstone Road, Wheeler Heights



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## REPORT SUMMARY

This Statement of Environmental Effects has been prepared in support of a Development Application ('DA') for alterations and additions to the existing 2 storey dwelling on the site. The alterations are located at the rear of the house and involve a new ground floor alfresco area and the replacement of a first floor rear timber deck.

The development site ('the site') is legally described as Lot 7 in DP 223849 (No. 45 Kirkstone Road, Wheeler Heights).

The site has a frontage to Kirkstone Road of 15.24m, a depth of 36.575m and an overall area of 557.40m<sup>2</sup>. The site is rectangular in shape and has a topographical fall towards the rear boundary.

The existing 2 storey rendered dwelling has a tiled roof and a concrete driveway and turning area at the front, surrounded by gardens. The existing garage of the house is integrated within the ground floor plan.

Behind the house are existing balcony areas and an in-ground swimming pool within the back garden. The dwelling is surrounded by low density residential housing within garden settings.

The site is zoned R2 (Low Density Residential) under the Warringah Local Environmental Plan 2011 ('WLEP') and the alterations and additions to the dwelling and ancillary development are permissible in the zone.

The proposal has been formulated to achieve a high quality architectural and environmental design for the owners of the site and the neighbours. Improving the rear of the site with a similar style, to update the existing house and with privacy designed in with walls (stair separation etc).

The proposal has been designed to maximise the use and space in the house and to accord with Council's planning and environmental requirements. The design and materials are considered to be in keeping with the character of the area.

The design is responsive to the area character and site opportunities and constraints. The style, scale, siting, density, floor plans, parking and landscaped/open space areas provide quality housing whilst protecting streetscape and environmental amenity.

This Statement considers the proposed design approach and the proposal in relation to planning and environmental controls.

Given the prevailing merits and minimal change and impact proposed, the proposal is considered to be in the public interest, and worthy of Council's support.

## 1. THE SITE AND SURROUNDING ENVIRONMENT

The development site ('the site') is legally described as Lot 7 in DP 223849 (No. 45 Kirkstone Road, Wheeler Heights).

The site has a frontage to Kirkstone Road of 15.24m, a depth of 36.575m and an overall site area of 557.40m<sup>2</sup>. The site is rectangular in shape and has a topographical fall towards the rear boundary. Minimal trees exist on the property. There are a few at the front and the rear.

The existing 2 storey rendered dwelling has a tiled roof and a concrete parking area/turning area/driveway at the front. The existing garage is within the ground floor plan and existing balcony areas, planting and an in-ground swimming pool are located at the rear.

The dwelling is adjoined on either side by similar homes (generally 2 storey) and rear open spaces and elevated balconies due to the slope and the natural vantage/view at the rear (refer to the site photographs).

The area character comprises a R2 context and pattern, with detached houses set amongst landscaped gardens. Houses in the area are low density of mixed style, scale and character and are surrounded with landscaping and a minimal fencing.



**SITE LOCATION** (six maps)

The site is not constrained by terrestrial biodiversity, flooding, heritage, coastal issues or bushfire. The site adjoins a reserve/natural corridor known as Ambleside Reserved which is mapped as RE1 zone at the rear.

The photographs in Section 5 of this Statement demonstrate the site, adjoining development and the character of the area.

## **2. DESCRIPTION OF THE PROPOSAL**

The proposal involves alterations and additions to the existing house including:

### *Ground Floor:*

Existing staircase at the rear of the house to be demolished.

Relocation of pool equipment from the rear of the house to the rear corner/back garden near the pool.

Existing brick walls at the rear of the house to be demolished in order to construct a new small roof over this area (using translucent roof sheeting).

Retention of an existing concrete slab next to the existing sitting room.

Construction of a ground floor alfresco dining area, compressed FC sheets and floor tiles.

Construction of a small set of timber stairs to connect the new ground level alfresco area with the back garden and existing pool area.

Replacement of the pool gate.

New 1.2m high glazed pool fence.

New access door to sub-floor area underneath new concrete floor.

New small store area and stairs at the western side of the proposed alfresco area.

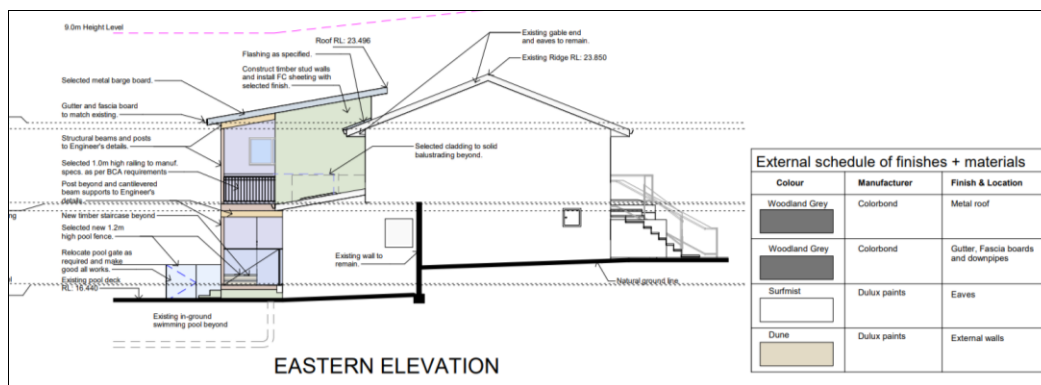


### First Floor:

Removal of the existing timber balcony (shown dotted on the proposed first floor plan).  
Removal of existing rear stair case and supports, to accommodate the deck addition.  
Construction of a larger/deeper timber deck with tiles and balustrades.  
The proposed deck is set in considerably from the eastern side and is designed with a solid wall and stair area to the eastern side to separate this area from the western side and prevent/minimise any looking or physical access to that side.  
The existing AC unit is to be relocated as required upon this deck.  
The revised deck provides for a larger and more useable area.

### Materials:

Further to the abovementioned construction details, the above is an extract from Plan 4-8 which details construction and materials/colours palette.



### Site Works:

There are no additional site works proposed. A stormwater engineering certificate is provided to detail that the proposal is supportable in relation to water management - noting that minimal additional hard surface areas are proposed (effectively the replacement of existing).

## 3. ENVIRONMENTAL PLANNING CONSIDERATION

A summary of compliance of the proposal with relevant planning controls is provided below.

### State Environmental Planning Policy 'SEPP' (Coastal Management) 2018

The aims of the Coastal Management SEPP including: managing development in the coastal zone and protecting the environmental assets of the coast, establishing a framework for land use planning to guide decision-making in the coastal zone and mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the *Coastal Management Act 2016*.

The SEPP allocates importance in evaluation of development in relation to social, economic and environmental interests and classifies involved coastal land into distinct coastal management areas, to facilitate effective management and to provide overarching coastal management and protections across different local government areas.

The site is not mapped as an affected coastal area. The proposed alterations and additions have been designed to minimise impact on the site in terms of additional hard surfaces to ensure protection of hydrology and the environment.

Given the low impact nature of the application, the minimal disturbance to the topography and natural environment and given that minimal visual change or scale is proposed, the proposal is not considered to create any adverse or additional coastal risk in relation to environmental of visual aspects and is consistent with the provisions of the SEPP.

### **State Environmental Planning Policy (BASIX) 2004**

The development for external elements is not considered to warrant a BASIX Certificate.

### **SEPP Remediation of Land (and Draft SEPP)**

The site is unlikely to contain any contamination and further investigation is not warranted given that the site has not been used for any other purpose other than residential development and given the minor scope of the development and negligible alteration of the site proposed under this DA.

### **State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

The aims of this Policy are: to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation and to protect the biodiversity values of trees and other vegetation and the amenity of the area through the preservation of the vegetation. No change is proposed to the existing as the proposal effectively replaces existing structures and covered areas at the rear of the house.

Consequently, the proposal does not impact unreasonably on any existing biodiversity, trees or vegetation on the site and is considered supportable within the context of the SEPP and environmental provisions.

### **Warringah LEP 2011 - Zoning, Permissibility and Objectives**

#### *Zoning and Permissibility*



**Zoning Extract** Source: Warringah Local Environmental Plan, 2011

The site is zoned R2 (Low Density Residential). The proposed alterations to the dwelling house and the ancillary works are permissible forms of development with consent within the R2 zone.

## Objectives

The objectives of the R2 zone are:

### **Objectives of zone**

- *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.*

The proposal accords with the above objectives in that:

- The proposal provides for quality housing to meet the housing needs of the community.
- The proposal provides reasonable improvements to a family home and updates the house in terms: of improving the flow between the existing internal floor plan (unchanged) and connection with outdoor space for family purposes.
- The proposal has been designed with amenity and privacy in mind and is considered to be consistent with design controls in protecting amenity for the area and adjoining properties.
- The proposal maintains landscaping and existing building setbacks at the front and side. The proposal is well separated from the rear boundary.
- The density and format accords with the development standards for the zone and is consistent with DCP merit considerations as detailed in the following tables.
- The proposal is not considered to be highly visible and would not change the streetscape.
- The proposal supports other land uses in the area.

## Part 4: Development Standards

### **Summary of planning controls**

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Warringah Local Environmental Plan 2011 (pub. 14-2-2014)
Land Zoning	R2 - Low Density Residential: (pub. 9-12-2011)
Height Of Building	8.5 m
Floor Space Ratio	NA
Minimum Lot Size	600 m <sup>2</sup>
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Landslide Risk Land	Area D - Collaroy Plateau Area Flanking Slopes 5 to 15

A height maximum of 8.5m (existing ground level to the highest point of the roof) is applicable under the LEP and the maximum height of the addition is 7.6m. No change is proposed to lot size.

The site is not mapped as affected by environmental protection constraints, heritage, acid sulphate soils or land reservation.

### Additional Local Provisions – Part 6

The proposal is consistent with Clause 6.1. Minimal excavation is required to accommodate the work and the pool. The earthworks proposed are limited and appropriate for within the R2 zone.

The proposal is consistent with Clause 6.2 in relation to stormwater. Water management has been designed in response to council guidelines. No considerable change is proposed and overall, water management is considered to be improved.

### **Warringah Development Control Plan 2011**

The following provides an overview of applicable DCP clauses.

#### Part B – Built Form Controls

##### *B1 Wall Height*

Applicable where the site is zoned R2 and has a mapped LEP height limit of 8.5m. 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 objectives of the clause are:

- *To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*
- *To ensure development is generally beneath the existing tree canopy level.*
- *To provide a reasonable sharing of views to and from public and private properties.*
- *To minimise the impact of development on adjoining or nearby properties.*
- *To ensure that development responds to site topography and to discourage excavation of the natural landform.*
- *To provide sufficient scope for innovative roof pitch and variation in roof design.*

No change is proposed to the existing wall height of the house itself.

The upper floor replacement deck is proposed with an external wall for screening and separation purposes. This has a small set of high light windows proposed with obscured side glazing for light purposes to the western side.

The external side wall element of the proposed new outdoor spaces is 6-7m in height and is not considered unreasonable. Further, the proposed roof is skillion/flat to minimise scale and maximise light and solar access.

The proposal is considered to be a reasonable addition to the house and consistent with the planning objectives and controls.

The design is considered consistent with the DCP objectives in relation to protecting views from waterways, public areas and other properties. The scale is reasonable and appropriate to protect amenity and streetscape. No change is proposed to the existing front roof pitch and form. The rear additions are behind and recessive to the existing form.



### *B.3 Side Boundary Envelope*

The property is mapped as 4m for the side boundary envelope, with a projecting plane of 45 degrees above 4m.

The objectives are:

*To ensure that development does not become visually dominant by virtue of its height and bulk, to ensure adequate light, solar access and privacy by providing spatial separation between buildings and to ensure that development responds to the topography of the site.*

The proposed rear deck additions follow the existing line/position of the house and are consistent with this existing position.

As noted, the alterations are well set in from the eastern established building line of the house and are not considered to create significant changes along that side – being well separated.

To the western side, the ground and floor deck elements are in line with the existing side setback of the house. This part does not contain additional viewing windows – only a set of small highlight windows, with opaque glazed panes. These are intended to provide light in from that side and to prevent side viewing/permanent screening. Otherwise, there is a wall in this location to screen view and protect mutual amenity between houses.

The extent of built form is modest and not extensive.

Shadow diagrams are provided in respect of the alterations and indicate minimal/reasonable change. Most of the shadow would be concentrated over the rear and side boundary area of the subject site due to the lot orientation. As noted, the roof profile has been proposed deliberately low to minimise scale and address light/solar access.

Consequently, the proposal is considered to comply with the objectives of the control in that the addition is not dominating, ensures light, solar access and privacy to protect neighbours.

The spatial separation is reasonable and consistent with the prevailing pattern of houses.

The rear addition lines up with the houses on either side and is reasonable in the context.

### *B.5 Side Boundary Setbacks*

A side boundary setback control of 900mm applies and the setback is intended to be free of structures and available for landscaping.

The objectives of the control are to:

*Provide opportunities for deep soil landscape areas, ensure that development does not become visually dominant, ensure that the scale and bulk of buildings is minimised, provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained and provide reasonable sharing of views to and from public and private properties.*

The proposal involves outdoor area extensions at the rear of the house.

The set back of the new deck areas to the eastern boundary are >5m from that side.

The rear deck additions are proposed in line with the building line of the house, 1.24m-1.315m from the western side which complies and is reasonable. The proposal is compliant and consistent with the merit objectives.

#### *B.7 Front Setback*

No change is proposed to the existing front setback.

#### *B6/6.1 Environmental Management/Sunlight Access*

The proposal provides for reasonable internal solar access and allows an extension for outdoor areas.

The development will not unreasonably impact on solar access to public spaces and will not contribute to adverse wind effects.

Solar access is addressed above and in the shadow diagrams.

#### *B.9 Rear Boundary Setbacks*

The proposal involves a rear setback of 11.5m which is considered reasonable and is consistent with the rear setback objectives of ensuring deep soil landscaping within rear gardens, allowing for screen planting and openness/spatial separation, maintain privacy and to ensure the protection of residential amenity.

The outdoor open spaces of the houses in the line remain open and contiguous. The proposed decks are similar to other rear deck elements in the locality and allow for the rear extension of living area, for practical purposes given the slope, and also for the enjoyment of the rear natural area.

### *Part C – Siting Factors*

#### *C2 and 3 – Traffic/Access/Safety/Parking*

No change is proposed to parking which exists at the front.

#### *C4 Stormwater*

Systems are to be planned and designed in accordance with Council's Water Management Policy to protect and improve the ecological condition of Warringah's beaches, lagoons, waterways, wetlands and surrounding bushland, minimise the risk to public health and safety, reduce the risk to life and property from flooding, integrate Water Sensitive Urban Design measures into the landscape and built form to maximise amenity, manage and minimise stormwater overland flow, nuisance flooding and groundwater related damage to properties, protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised. To minimise the quantity of stormwater runoff from new development on Council's drainage system.

Water management has been designed with engineering information provided to address the requirements and maintain the performance of the site in relation to water management, to prevent impacts and to update the site to comply with current standards.

The proposal is consistent and appropriate conditions can be applied in this regard. Minimal additional hard surfaces are involved.

## *C5 Erosion and Sedimentation*

Plans and strategies are to be implemented to reduce the potential for soil erosion and adverse sedimentation impacts upon the environment, prevent the migration of sediment off the site onto any waterway, drainage systems, public reserves, road reserve, bushland or adjoining private lands and prevent any reduction in water quality downstream of the development site.

Minimal external alteration is proposed. These aspects can be managed via consent conditions to ensure compliance and protection.

## *C7 Excavation and Fill, C8 Demolition and Construction and C9 Waste Management*

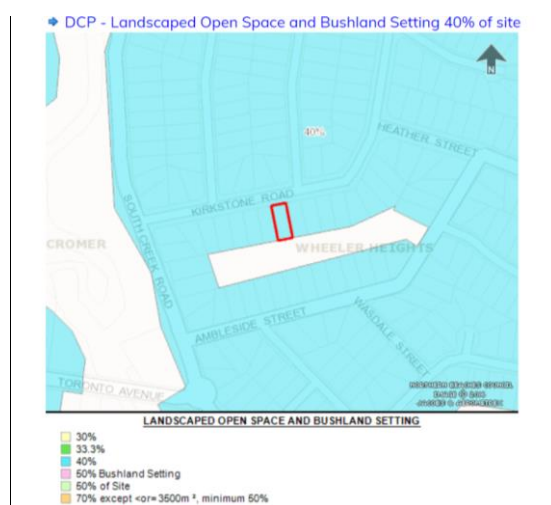
Excavation and fill are minimised for the protection of the environment and adjoining properties and subject to conditions. The proposal is consistent with these sections of the DCP and the objectives.

On-going waste management can be provided as existing. Bins are proposed to be stored down the side of the house. A Waste Management Plan is included in the submission.

## *Part D – Design*

### *D1 Landscaped Open Space and Bushland Setting*

40% of the site is required for landscaping (223.60m<sup>2</sup>) and 40% is provided and complies. This provision is considered consistent with the objectives which are to retain the landscaped character of the area and effectively balance built form with landscaping.



### *D2 Private Open Space*

The deck areas maintain and improve private open spaces at the rear and maintain privacy via design and setback to the side neighbours (as detailed).

### *D3 Noise*

The noise associated with this proposed low density dwelling and ancillary facilities is not considered unreasonable and is suitable within the residential setting.

#### *D6 Access to Sunlight*

The objectives are to: ensure that reasonable access to sunlight is maintained, encourage design solutions to improve the urban environment and public open space and to promote passive solar design and the use of solar energy.

The proposed development provides shadow diagrams which indicate compliance with the design requirements to avoid unreasonable overshadowing any public open space.

At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings retain a minimum of 3 hours of sunlight between 9am and 3pm on June 21.

The additional rear elements are considered to be reasonable and modest so as to protect solar access.

Additional shadow will generally be cast over the rear of the subject site. Some additional shadow over the side area of the western adjoining property at 9am on June 21 however is not considered extensive or unreasonable and would not impact on open space areas.

Generally, shadow on June 21 would affect the subject site and over the street. The shadow is not proposed to considerably change and is considered consistent with the merit controls.

#### *D7 Views*

The proposal is not considered to adversely impact on views. The rear addition is modest and reasonable, being set in from the sides and recessed behind the existing first floor.

#### *D8 Privacy*

Development should be designed to maintain a high level of privacy for properties. Habitable areas should be located to minimise overlooking. Location of windows and openings should prevent direct views.

As detailed above, the design incorporates elements to protect privacy consistent with the controls.

#### *D9 Building Bulk*

The proposal is consistent with the controls in that setbacks and envelope are generally compliant and the rear addition is set in to accord with the setback controls and the roof is low in scale.

#### *D10 and D11 Materials and Roof Design*

The proposal provides for well considered, durable and high quality materials which are sympathetic to the existing house and the setting. The proposal will provide a high quality result in accordance with the controls. The new roofing material will not change the form and scale and will provide a modern, appropriate and attractive outcome. The materials are non-reflective in accordance with control D12.

#### *D13 and D15 Front, Side and Rear Fences and Walls*

No change is proposed to the front and side fences.

#### *D14 Site Facilities*

The site facilities such as garbage storage are reasonable and consistent with the objectives of the DCP in allowing site efficiency whilst also protecting the quality of the environment and the neighbourhood. Minimal change.

#### *D16 Swimming Pools and Spas*

The objectives are to ensure swimming pools and spas are located to preserve the natural environment, streetscape and residential amenity and to encourage innovative design solutions to improve the urban environment.

Pools are not to be located within the front building setback. Swimming pools and spas are to be setback from any trees.

The pool is existing and is at the rear. The pool is set back from the boundary with planters and is not proposed to be altered except for an upgrade to the fencing and gate and to re-locate the pump from the back of the house to the back corner of the property, at the back of the pool. It is away from the rear and sides of adjoining properties and is to be within an acoustic enclosure.

The proposal is consistent with the utility services and safety and security considerations of *Part D* of the DCP. The development has been designed with environmental efficiency in mind, having regard for the materials, cross ventilation proposed and the management of waste and water.

#### *Part E – Environmental Considerations*

The proposal is consistent with this part of the DCP. The proposal maintains reasonable soft landscaping in accordance with merit design controls and maintains landscaped areas and trees.

The proposal maintains and works with the existing site features.

The proposal has been developed under the guidance of water management/engineering advice and is consistent with requirements. The proposal is not considered to result in landslip hazard and maintains landscaping and water control.

### **Section 4.15 considerations and Environmental Assessment**

#### *Environmental Planning Instruments*

As detailed, the proposal is considered consistent with the applicable state and local planning policies and the zoning objectives. The proposal is also consistent with DCP design and amenity objectives, as detailed.

The design seeks to provide amenity to the subject dwelling without unreasonably compromising the amenity of adjoining dwellings. The proposal is considerate for within the R2 zone and is consistent with merit objectives.

#### *Trees and Flora and Fauna*

The plans retain important existing trees, boundary and front garden plantings for the benefit of amenity and the area character and to meet council controls and ensure the on-going landscaped character of the site and area.



### *Drainage and Water Management*

Refer to the stormwater checklist and certificate. The plans have been developed to comply with requirements and the proposal is considered to appropriately manage water to ensure consistency with Council's water management policies. Conditions can be recommended as appropriate.

### *Streetscape/Area Character*

No change is proposed to the street presentation and the plans are consistent with merit controls and the character of housing in the area.

### *Traffic and Parking*

The proposal is consistent with Council requirements with no change proposed to parking and access.

### *Compliance/Public Interest*

The proposal is consistent with Council's planning objectives and desired outcomes with minimal likely impacts created.

Consequently, the proposal is considered to be in the public interest in creating environmental, social and economic benefits by improving the residential space of the house for a family whilst minimising environmental or surrounding amenity impacts.

The development is considered suitable for the natural and built environments and follows sustainable design principles.

## **4. CONCLUSION**

The proposed development is worthy of the approval of Council for the following reasons:

- The development is consistent with relevant Regional, State and Local Environmental Planning Policies.
- The design is compliant with Council's zoning objectives and provisions.
- The design is consistent with merit-based DCP development guidelines and planning objectives.
- The development provides for a high quality and improved residential floor plan/flow to useable outdoor areas for the family and makes a positive improvement to the site layout, with a considered external change which seeks to reduce height, minimise shadow and protect privacy for adjoining properties by design.
- The development is considered to sensitively respond to the streetscape and the character of adjoining development in terms of privacy screening, separation, scale and design, landscaping and appropriate use of materials.
- The protection of privacy for adjoining properties is included in the design and the proposal is considered to promote amenity for both the subject site and the adjoining houses and their private open space areas.
- The proposal maintains passive solar access, natural cross ventilation, low reliance on artificial heating and cooling and water management.
- The proposal provides for the retention of existing planting at the frontage and complies in terms of soft landscaping, to maintain the leafy streetscape character.
- Given the merits presented by the design, the proposal is considered to be in the public interest and is appropriate for support and approval.

## 5. SITE AND AREA PHOTOGRAPHS



Existing rear elevation showing similar line of houses and rear gardens/decks



Existing rear deck/first floor and existing privacy screen



Existing rear deck/first floor and existing privacy screen/west



Existing rear yard, ground floor area



Front of the existing house and the property to the east



Streetscape





Streetscape