

Statement of Environmental Effects

To accompany a Development Application

For permission to:

Construct a detached 2-bedroom secondary dwelling

Site Address:

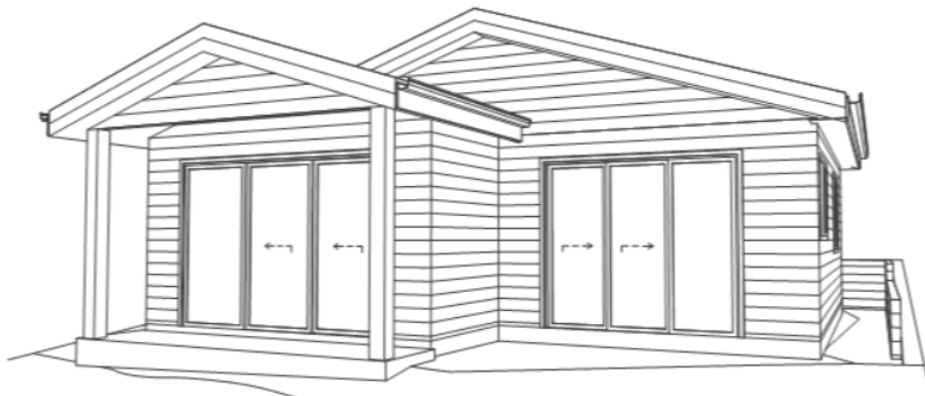
40 Curl Curl Parade, CURL CURL NSW 2096

LGA:

Northern Beaches Council (Warringah)

Date:

April 2022



1.0 The Proposed Development

This report has been compiled to support a Development Application for permission to undertake building works at 40 Curl Curl Parade, Curl Curl as per plan No. 215780, prepared by Granny Flat Solutions, Issue M, Dated April 2022.

The site contains a total area of 459.9m² and is known as Lot 125 in DP 5539.

Current site comprises of a free-standing two residence, with a tiered backyard. There are no trees on the property. The site is burdened by a registered drainage easement which runs along the Eastern side boundary, and cuts diagonally through the backyard, towards the South West back corner of the property.

The property is located within the Land Slip Risk Map- Area B.

The property is zoned R2 Residential, which permits Secondary dwellings under the Warringah Local Environmental Plan 2011.

The proposed works are as follows:

- Construct a 57sqm detached 2-bedroom Secondary Dwelling with a 4sqm porch.

The reason a Development Application is being lodged, as opposed to a Complying Development Certificate, is due to the following reason:

- The property width is 10.06m (noting that a CDC is only permissible on lots >12m wide)

In accordance with the 10.7(2) Planning Certificate, the property is NOT affected by Critical habitat, Conservation, Heritage, mine subsidence, road widening, flooding, land acquisition, biodiversity, bushfire or Acid Sulphate Soil constraints.

2.0 DCP Statutory Objectives

All works comply with the Warringah Development Control 2011, as follows:

Control	Permissible	Proposed	Complies
B1- Wall Height	8.5m max building height	2.7m	Yes
	2.7m max wall height		Yes
B2- Storeys	Max 2 storeys	2 storey	Yes
B3- Side Boundary Envelope	4m high @ boundary	4m high @ boundary	Yes
B4- Site Coverage	Not on DCP Site Coverage Map	49%	Yes
B5- Side Boundary Setbacks	0.9m	0.9m	Yes
B6- Merit Based side setback	NA	NA	NA
B7- Front Setback	NA	NA	NA
B8- Merit Based front setback	NA	NA	NA
B9- Rear Boundary Setbacks	6m	2m	NO (see 3.0 of this report)
B10- Merit Based rear setback	NA	NA	NA
B11- Foreshore building Line	NA	NA	NA
B12- National Parks setback	NA	NA	NA
B13- Coastal cliffs setback	NA	NA	NA
D1- Landscaped Open Space	40%	41.7%	YES
D2- Private Open Space	60m2 for 3 bedroom home	<120sqm provided between the 2 dwellings	YES

Other Warringah DCP Provisions:

Safety and Security

There is an entrance porch with entry doors facing the northern courtyard, providing full surveillance and security to the courtyard area.

View Sharing

Given this is a single storey dwelling and is lower than the existing dwelling, and is away from any adjoining dwellings, the subject dwelling will not impede the view sharing of any properties. There is only 1 small bathroom obscure window facing the rear setback.

Solar Access

Given this is a single storey dwelling and is lower than the existing dwelling, there will no overshadowing to adjoining properties.

Acoustic Privacy

The 2 dwellings on this site are more than 10m away from each other, and the common private open space area will be shared amongst the family members anyway, therefore not creating any acoustic or privacy concerns.

3.0 DCP Control to be varied

We wish to vary DCP Control B9- Rear Boundary Setback within the Warringah DCP, by proposing a 2m rear setback is, noting that the DCP requires a 6m rear setback.

In this particular case, this control is unreasonable, and we ask Council to consider this minor non-compliance for the following reasons:

- 1- This is a DCP control we wish to vary, not an LEP requirement.
- 2- There is a large drainage easement dividing this backyard unevenly, limiting the usable area, therefore the granny flat had to be pushed further back to fit within the available space.
- 3- If the lot had been wider (12m wide) then a CDC would have been permissible with a 3m rear setback, which the owners may have considered reducing the building size even smaller to make it work, but this was not possible.
- 4- The size of the unit has already been compromised due to the location of the drainage easement running through the property.
- 5- A reduced rear setback does not affect the amenity of the property, nor impact on adjoining properties.
- 6- While there is a pool on the adjoining rear southern boundary, there is a mature hedge which already provides privacy between the 2 lots.
- 7- The granny flat is situated lower than the adjoining property boundary, therefore is lower than the fence height, therefore not creating any privacy issues.
- 8- There is only 1 rear obscure bathroom window facing the rear boundary, once again not creating any privacy issues.
- 9- The reduced rear setback actually provides more amenity between the 2 dwellings, providing ample useable shared open space area for the occupants. Pushing the building 6m from the rear boundary (assuming there was no drainage easement there) would provide less usable Private Open Space.
- 10- The rear setback is not visible from the street, and therefore does not impact on the streetscape.
- 11- The granny flat is a small dwelling in comparison to the main residence, and does not create any shadowing or privacy issues at all to any adjoining properties.
- 12- The reduced rear setback does not create any environmental impacts, and is therefore considered to be within the interest of the public.

4.0 Conclusion

The proposed development is quite simple, containing a secondary dwelling located at the rear of the site, is not visible from the street, and with no impact to the adjoining properties.

The site is heavily burdened by a drainage easement which cuts through the back of the yard unevenly.

We acknowledge that the rear setback does not comply, but all other DCP and LEP provisions have been met.

There is ample shared open space for both the existing dwelling and proposed granny flat, minimising privacy and acoustic concerns to any adjoining properties.

The overall proposal will not have any impact on the interest of the neighbourhood.

We look forward to a positive and speedy response from council, and ask that this application is determined based on its merits.