

ACTION PLANS

STATEMENT OF ENVIRONMENTAL EFFECTS

**DEVELOPMENT APPLICATION FOR ALTERATIONS AND ADDITIONS
AT 160 ALLAMBIE ROAD, ALLAMBIE HEIGHTS, NSW 2100**



No. 160 ALLAMBIE ROAD, ALLAMBIE HEIGHTS NSW 2100
STREET VIEW

Client: AMIT & BIANCA CHAKRABORTY
FEBRUARY 2020

01	PROPERTY DESCRIPTION
02	SITE DESCRIPTION
03	ADJOINING PROPERTY
04	DESCRIPTION OF PROPOSED WORKS
05	AREA AND COMPLIANCE SUMMARY
06	PLANNING ASSESSMENT STATUTORY PROVISIONS Warringah Local Environmental Plan (LEP) 2011 6.1 Principal Development Standards 6.1.1 Height of Buildings (LEP Clause 4.3) 6.2. Additional Local Provisions 6.2.1. Acid Sulphate Soils (LEP Clause 6.1) 6.2.2. Earthworks (LEP Clause 6.2) 6.2.3. Flood Planning (LEP Clause 6.3) 6.2.4. Development on Sloping Land (LEP Clause 6.4) 6.2.5 Coastline Hazards (LEP Clause 6.5)
07	POLICY PROVISIONS Warringah Development Control Plan (DCP) 2011
08	EP & A ACT - SECTION 79C
09	CONCLUSION
10	APPENDIX - CLAUSE 4.6

01 Property Description

The subject property legally identified as Lot 2355 within DP 752038 and is known as 160 Allambie Road, Allambie Heights. The site is zoned R2 Low Density Residential pursuant to Warringah Local Environmental Plan 2011. The site is not identified as containing any items of environmental heritage. The site is located within bushfire prone land and is identified on the Landslip Risk map as both 'Area A: slopes less than 5 degrees' and 'Area B: flanking slopes from 5 to 25 degrees'.

02 Site Description

The site is legally identified as Lot 2355 within DP 752038 and is known as 160 Allambie Road, Allambie Heights. The site is located on the eastern side of Allambie Road. The site has an area of 865.8m² and is irregular in shape with a street frontage (front boundary) of 27.14 meters to Allambie Road. The southern boundary (side boundary) has a length of 65.765 meters, the western boundary (rear boundary) has a length of 6.095 metres and the northern boundary (side boundary) has a length of 53.645 meters.

The site slopes from west to east.

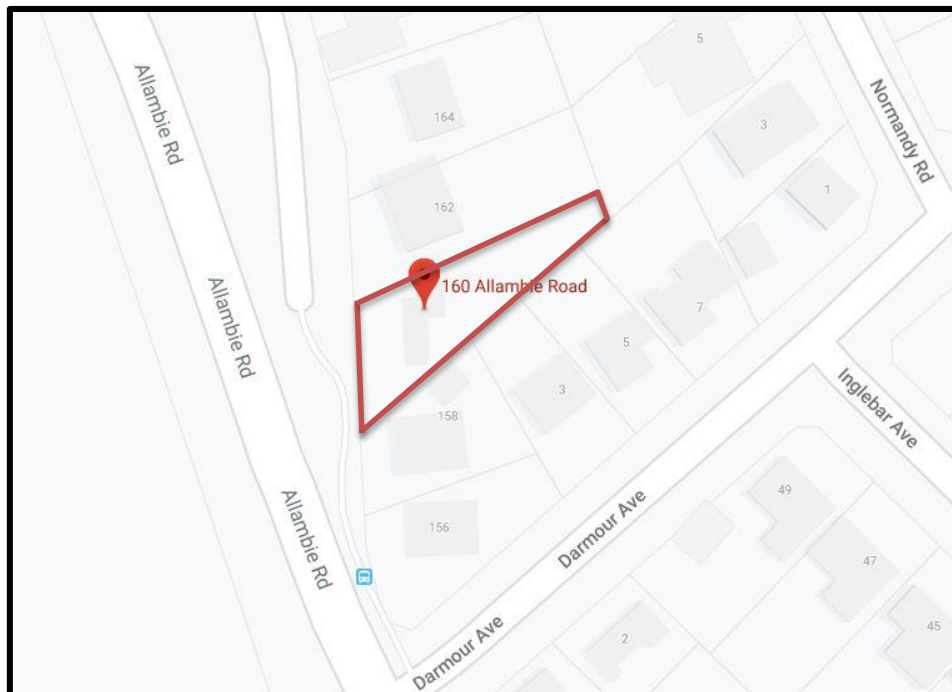


Fig 1: Subject site outlined in red (Google maps 2020).

The property currently accommodates a two storey dwelling. The existing house is constructed in weatherboard and brick and has a metal roof.

Other site works include a concrete driveway, a timber front porch and a timber deck facing the rear yard as well as a small deck off the northern façade of the building.



Fig 2: 160 Allambie Road as seen from the street. (*Action Plans 2019*).



Fig 3: Concrete driveway as seen from the street. (*Action Plans 2019*).



Fig 4: View from the rear garden of the timber deck. (*Action Plans 2019*).

03 Adjoining Property

The surrounding area predominantly consists of single or two storeys residential dwellings. The adjoining property to the north, 162 Allambie Road, is a two storey brick residence with a tiled roof and vehicular access via a small side street, from Allambie Road. To the south, 158 Allambie Road, is a single storey weatherboard residence with a metal roof. The property has vehicular access via a small side street, from Allambie Road.



Fig 5: No. 162 Allambie Road as seen from side road off Allambie Road (*Action Plans 2019*).



Fig 6: No. 158 Allambie Road as seen from side road off Allambie Road (*Action Plans 2019*).

04 Description of proposed Works

The proposal seeks consent for alterations and additions to the existing dwelling at No. 160 Allambie Road.

The proposed works include:

First floor:

- Addition of first floor level above existing residence.
- Creating a master suite, walk-in-wardrobe, ensuite and parents retreat.
- Addition of timber balcony off the master suite, overlooking the rear yard.
- New windows and glazed door.

Ground floor:

- Small extension to the front, northern corner of dwelling.
- Creating internal stairway to allow access to first floor level, within the new footprint.
- New windows.

External works:

- Addition of carport roof over existing concrete hardstand / driveway.

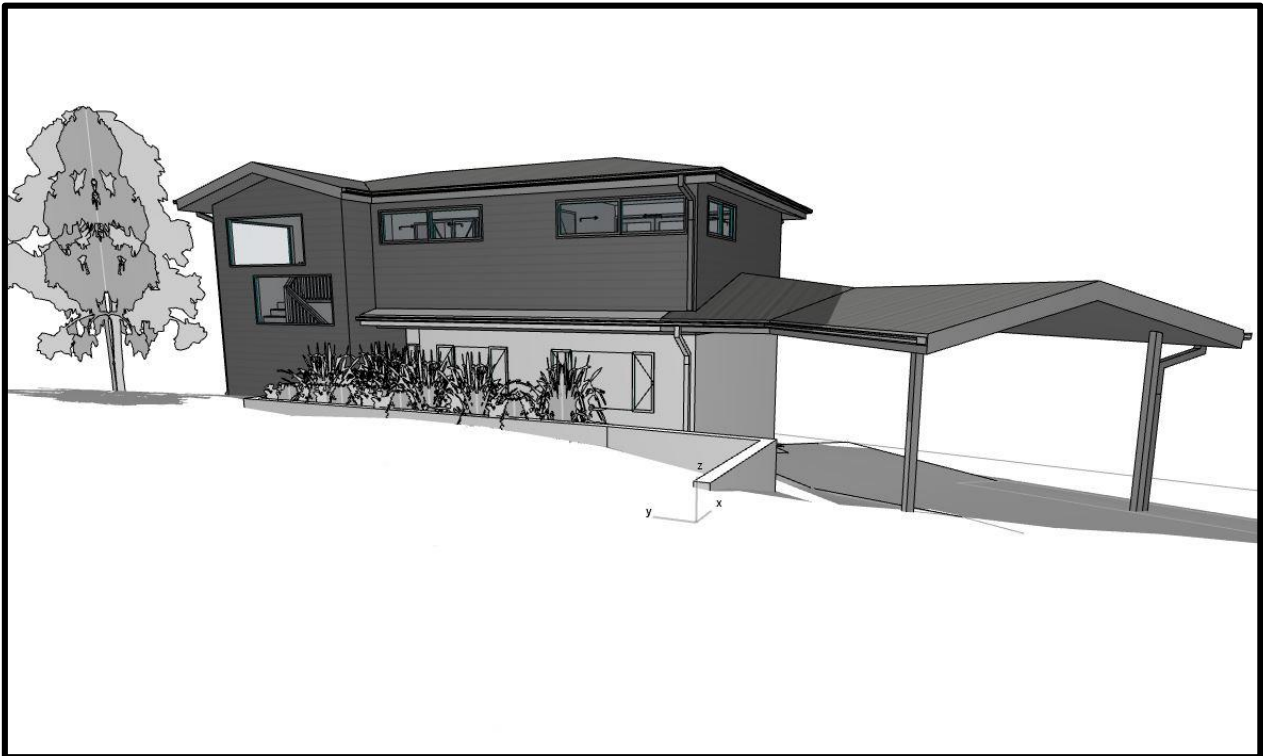


Fig 7: Proposed works at No. 160 Allambie Road, shown in dark grey. (*Action Plans 2020*).

05 Area and Compliance Summary

Site Information and Building Controls	Control	Existing	Proposed
Zoning	Zone R2	Zone R2	Unchanged
Site area	600m ²	865.8m ²	Unchanged
Frontage	27.14m	27.14m	Unchanged
Number of stories	Not applicable	Two storey	Unchanged
Maximum building height	8.50 metres	5.346 metres	8.873 metres
Front Building Setback	6.5m	7.455m Carport: N/A	6.5m Carport: 3.286m
Rear Building Setback	6.0m	35.585m	Unchanged
Min. side boundary setback (North)	0.9m	4.073m	3.358m
Min. side boundary setback (South)	0.9m	1.765m Carport: N/A	1.742m Carport: 1.032m
Landscaping Open Space:	40% (346.32m ²)	62.5% (541.22m ²)	62% (536.92m ²)
Private Open Space	60m ²	60.18m ²	Unchanged

06 Planning Assessment

STATUTORY PROVISIONS

Warringah Environmental Plan (WLEP) 2011

Permissibility

The site is zoned R2 Low Density Residential pursuant to the land use table of The Warringah Local Environmental Plan 2011. The proposed works being alterations and additions to the existing dwelling are permissible with development consent.

The proposal satisfies the objectives of R2 Low Density Residential as the proposal for alterations and additions to a single dwelling which maintains the low density residential environment and does not adversely affect adjoining properties, the landscape setting of the existing dwelling or the streetscape.

6.1 Principal Development Standards

6.1.1. Height of Buildings (WLEP Clause 4.3)

Pursuant to Clause 4.3 the maximum height requirement is 8.5 metres. The proposed development complies with the 8.5 metre for the vast majority of the development. There is a minor breach at the roof ridge at the rear of the site due to the land falling at this point and the existing structure and sub-base of the dwelling. This is shown on the plans, with a 373mm non-compliance at the greatest point. The maximum height reached is 8.873m. A clause 4.6 variation is provided at Appendix One providing justification for this minor breach.

Response to the objectives of this clause:

The proposal is an appropriate form of development, which is compatible with the height and scale of the surrounding development. The proposal does not result in any significant visual impacts upon adjoining neighbouring properties and does not adversely affect visual privacy of adjoining properties. The vast majority of the proposal is consistent with the objectives of Clause 4.3 of the Warringah LEP 2011.

6.2. Additional Local Provisions

6.2.1 Acid Sulphate Soils (LEP Clause 6.1)

The site is not identified as having acid sulphate soils on the Acid Sulphate Soils map.

6.2.2 Earthworks (LEP Clause 6.2)

The proposal does not require extensive earthworks. Minimum excavation is required to allow for the posts of the proposed carport as well as for the footings for the extension at the northern and western corner of the building.

6.2.3 Flood Planning (LEP Clause 6.3)

Not applicable.

6.2.4 Development on Sloping Land (LEP Clause 6.4)

The subject site is identified as a landslide risk on the Landslide Risk Map as 'Area A – Slopes less than 5 degrees' as well as 'Area B – Flanking slopes from 5 to 25 degrees'. A Geotechnical report has been included with the proposal and should be read in conjunction with this statement.

6.2.5 Coastline Hazards (LEP Clause 6.5)

Not applicable.

07 RESPONSE TO THE WARRINGAH DCP 2011

7.1 Compliance table

Existing Site Area = 865.8m ²		
DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	Proposed	Complies
Part B – Built Form Controls		
B1 – Wall Heights Walls are not to exceed 7.2 meters 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).	All proposed walls within the proposal are within the permitted height at 6.543m.	Yes
B2 – Number of Storeys	Not identified on map.	Not applicable.

B3 – Side Boundary Envelope 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 as identified on the map.	Proposed elements are within the permissible site boundary envelope.	Yes
B4 – Site Coverage	Not applicable.	Not applicable.
B5 – Side Boundary Setbacks Minimum 0.9 metres	North = 4.073 metres Changed to 3.358 metres South = 1.765 metres Changed to 1.742 metres Carport = Proposed 1.032m	Yes The setback along the Northern side boundary is within the permissible setbacks with this proposal. Yes The setback along the Southern side boundary is within the permissible setbacks with this proposal.
B6 – Merit assessment of Side Boundary Setbacks	Not applicable.	Not applicable.
B7 – Front Boundary Setback Minimum 6.5 metres	7.455 metres Changed to 6.5 metres Carport = Proposed 3.286m	Yes The front setback is within the permissible setbacks with this proposal.
B8 – Merit assessment of front boundary setbacks	Not applicable.	Not applicable.
B9 – Rear Boundary Setbacks Minimum 6.0 metres	35.585 metres Unchanged with this proposal	Yes All proposed works are located behind the rear setback.
B10 – Merit Assessment of Rear Setbacks	Not applicable.	Not applicable.
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.
Part C – Siting Factors		
C1 – Subdivision 1.R2 Low Density Residential zone requirements: Proposed new allotments: a) Minimum width: 13 metres b) Minimum depth: 27 metres; and c) Minimum building area: 150m ²	Not applicable	Not applicable
C2 – Traffic, Access and Safety Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.		

C3 – Parking Facilities Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site. Parking is to be located so that views of the street from front windows are not obscured; and where garages and carports face the street, the garage or carport opening must not exceed 6 metres or 50% of the building width, whichever is the lesser.	The proposal is located within the existing hardstand area, refer to Carport Plan and Cross Section DA14.	Yes The proposed carport is within the footprint of the existing concrete hard stand. The roof has been design to be integrated with the dwelling roof, of an appropriate scale and height.
C4 – Stormwater To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	All collected stormwater within the proposal to drain to the existing drainage system.	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required. Refer to the Site/Sediment Erosion Plan DA02.	Yes A Soil Erosion Management Plan has been prepared and is included in the submission to Council.
C6 - Building over or adjacent to Constructed Council Drainage Easements The objective of this policy is to ensure efficient construction, replacement, maintenance or access for emergency purposes to constructed public drainage systems located within private property.		Yes
C7 - Excavation and Landfill Land excavation or fill work should not have an adverse effect upon the visual and natural environment or adjoining and adjacent properties, or create airborne pollution. The integrity of the physical environment should be preserved, as well as the visual and scenic quality.	The proposal does not require extensive earthworks. Minimum excavation is required to allow for the posts of the proposed carport as well as for the footings for the extension at the northern and western corner of the building.	Yes
C8 – Demolition and Construction Waste management plan required.	Refer to the Site/Sediment Erosion, Waste management and materials handling Plan DA02.	Yes
C9 – Waste Management Waste storage area to be provided.	Refer to the Site/Sediment Erosion, Waste management and materials handling Plan DA02.	Yes

Part D – Design		
D1 – Landscaped Open Space and Bushland Min 40% Landscaped Area to be maintained.	The existing landscaped open space measures 62.5% (541.22m ²). The proposal decreases this by 0.5% (4.3m ²) and measures 62% (536.92m ²).	Yes
D2 - Private Open Space Dwelling houses with 3 or more bedrooms Min 60m ² with minimum dimension = 5m.	The Private Open Space Area is unchanged with this proposal at 60.18m ²	Yes
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.
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.	The proposal does result in some additional over shadowing. Refer to Shadow Diagrams included in DA package. DA18-DA20	Yes Shadow diagrams have been prepared which depict the existing and proposed shadowing.
D7 – Views View sharing to be maintained.	The proposal does not result in loss of views for any of the adjoining neighbouring buildings.	Yes
D8 – Privacy This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	The proposed addition do not overlook on the private open spaces of the adjoining properties.	Yes
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.	The additions are well articulated, maintain the existing setbacks to the adjoining property boundaries and do not result in any unreasonable bulk or scale.	Yes
D10 – Building Colours and materials External finishes and colours sympathetic to the natural and built environment.	External finishes selected to be compatible with the existing dwelling.	Yes

D11 – Roofs The LEP requires that roofs should not dominate the local skyline. Roofs should complement the roof pitch and forms of the existing buildings in the streetscape. Roofing materials should not cause excessive glare and reflection.	The proposed roof over the first floor addition as well as over the carport is of an appropriate form & scale to that of the existing building.	Yes
D12 – Glare and Reflection Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	The proposal will not result in unreasonable glare or reflection.	Yes
D13 - Front Fences and Front Walls Fences located within the street setback area are to be compatible with the existing streetscape character.	No new fences are included in the proposal. The extension and addition of a first floor results in extended front walls however these are of an appropriate scale and form to the existing building. The materials and colours to match the existing.	Yes
D14 – Site Facilities Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places	Garbage storage areas and other facilities maintained.	Yes
D15 – Side and Rear Fences Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	Existing side fences compliant and retained as they are.	Yes
D16 – Swimming Pools and Spa Pools Pools are not to be located in the front building setback.	No swimming pools and spa pools included in the proposal.	Not Applicable
D17 – Tennis Courts	Not Applicable	Not Applicable
D18 – Accessibility Safe and secure access for persons with a disability to be Provided where required.	Not Applicable	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	The dwelling will maintain a good outlook of dwelling approach and street.	Yes
D21 – Provision and Location of Utility Services The location of utility services should take account of and minimise any impact on natural features such as bushland and natural watercourses.	Existing facilities on site.	Yes
D22 – Conservation of Energy and Water	The proposal makes the best use of natural ventilation, daylight and solar energy.	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	Not Applicable

Part E – The Natural Environment		
E1 – Private Property Tree Management Arboricultural report to be provided to support development where impacts to trees are presented.	Proposal does not require the removal of any significant vegetation.	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	Not applicable
E7 – Development on land adjoining public open space	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 Area A: Slopes less than 5 degrees. Area B – Flanking slopes from 5 to 25 degrees	A Geotechnical report has been included with the proposal and should be read in conjunction with this statement.	Yes
E11 – Flood Prone Land	Not identified on map	Not applicable

08 EP & A ACT - SECTION 79C

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

09 CONCLUSION

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents with the exception of those discussed in detail previously in this statement. Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts. Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social, economic, or heritage related impacts, the application is submitted to The Warringah Council for assessment and granting of development consent.

10 APPENDIX ONE

Clause 4.6 – Exceptions to Development Standards

Variation of development standards may be considered under the provisions of this clause. The height of the proposed building exceeds the 8.5m permitted and accordingly such an assessment is provided below using the question and answer format recommended by the Department of Planning and Infrastructure.

What is the name of the environmental planning instrument that applies to the land?

Warringah Local Environmental Plan 2011

What is the zoning of the land?

R2 – Low Density Residential

What are the objectives of the zone?

The objectives of the zone are fulfilled as is addressed below.

- ***To provide for the housing needs of the community.***
The improvements to the existing dwelling are consistent with this aim.
- ***To provide a variety of housing types and densities.***
A single dwelling will be retained as a result of the improvements on the subject site.
- ***To enable other land uses that provide facilities or services to meet the day to day needs of residents.***
This is not applicable to the existing detached dwelling.

What is the development standard being varied?

The height control under clause 4.3 of the WLEP11 requires a maximum height of 8.5 metres for the subject site.

Under what clause is the development standard listed in the environmental planning instrument?

Clause 4.3 – Height of Buildings

What are the objectives of the development standard?

The objectives of the control are fulfilled as is demonstrated below.

- a) *to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality,***

The proposal will result in a building of comparable scale to neighbours. The minor breach at the rear of the dwelling is for a limited portion and only results due to an existing sub-floor structure.

- b) *to control the bulk and scale of buildings,***

The bulk and scale will not be impacted by the small breach. The development as proposed has a similar scale to neighbours and it will be a compatible and appropriate addition to the streetscape.

- c) *to minimise disruption to the following:***

- (i) views to nearby residential development from public spaces (including the harbour and foreshores)
- (ii) views from nearby residential development to public spaces (including the harbour and foreshores),

(iii) views between public spaces (including the harbour and foreshores),

The minor breach at the rear of the dwelling will have no impact on views. The roof ridge is an extension from the height at the front which is compliant. Accordingly, even if the dwelling were to be lowered in the area where the control is varied, the appropriate impacts for neighbours to the north would be the same. There are no neighbours to the rear.

d) *to provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,*

Solar access for neighbours is achieved at a compliant and appropriate level.

e) *to ensure the height and bulk of any proposed building or structure in a recreation or environmental protection zone has regard to existing vegetation and topography and any other aspect that might conflict with bush land and surrounding land uses.*

N/A

What is proposed numeric value of the development standard in the environmental planning instrument?

8.5 metres

What is the numeric value of the development standard in your development application?

The maximum height reached is 8.64m from the ground level and 8.87 metres to the lower ground floor. However as can easily be seen on the plans, the 8.64 metres is for a very limited portion of the dwelling. The 8.87 metres is not visible with the non-compliance being technical and internal below ground.

What is the percentage variation (between your proposal and the environmental planning instrument)?

0.39%

How is strict compliance with the development standard unreasonable or unnecessary in this particular case?

Strict compliance is unreasonable and unnecessary as the variation is for a very small component at the rear of the building. The vast majority of the building will comply. The scale of dwellings on the streetscape are similar and the reason for the variation is the siting of the existing structure and the fall of the land. Amendments to achieve compliance would result in an architecturally less pleasing result with no gain for the site, or neighbours or the streetscape. The variation has negligible impacts to neighbours and the surrounds.

How would strict compliance hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Act?

Section 5(a) (i) and (ii) of the Act states:

(a) *to encourage:*

(i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*

(ii) *the promotion and co-ordination of the orderly and economic use and development of land,*

Strict compliance with the 8.5metre height development standard would hinder the achievement of these objects specified above and it would prevent the best architectural result for the streetscape. Approval of the application will not be at odds with any of the above objects and will for the most part have a nil impact.

Is the development standard a performance based control? Give details.

No, the standard is numeric.

Would strict compliance with the standard, in your particular case, would be unreasonable or unnecessary? Why?

Strict compliance would be unreasonable and unnecessary as the small area of non-compliance is not to the detriment of the site or neighbours. This is demonstrated in the review of the objectives of the height controls where we conclude that views, solar access, bulk and scale and privacy are all appropriate and not detrimentally impacted by the small breach to the height.

The locality and the site are impacted by difficult topography. The need to ensure reasonable retention of views and amenity to neighbours has also been key in the design. The proposal in its current form, with the minor height breach, has fulfilled the requirements of all of these key factors and satisfied the test of reasonableness to vary the height control.

Are there sufficient environmental planning grounds to justify contravening the development standard? Give details.

There are sufficient grounds to permit the variation of the development standard. In particular:

- The variation is for a very small area at the rear of the dwelling.
- There are no shadowing or bulk issues resultant.
- The site is constrained by the slope and the existing siting.
- A key reason for the variation is the existing sub-floor structure which will not have a visible impact on the height.
- The overall result is an architecturally pleasing development, which could not be achieved with full compliance.