

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**28 WOOD STREET, MANLY**

**PROPOSED CARPORT AND FRONT FENCE**

**PREPARED ON BEHALF OF  
Mrs Sophie Parkinson**

**DECEMBER 2019**

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## **APPENDICES**

### **APPENDIX A – LOCALITY ANALYSIS**

## 1. INTRODUCTION

This application seeks approval for the construction of a carport and front fence ancillary to the existing dwelling upon land at Lot 1 in DP 731649 which is known as **No. 28 Wood Street, Manly**.

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.

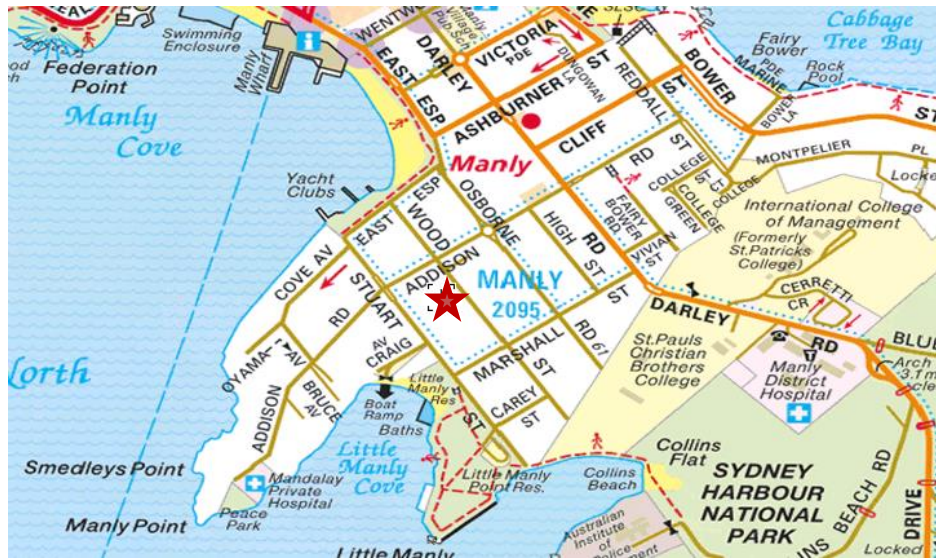
The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by CMS Surveyors Pty Ltd, Drawing No. 4317A, dated 5/05/15.
- Architectural Plans prepared Right Angle Design and Drafting Pty Ltd, Job No. RADD15007, dated Nov 2019.
- Stormwater Drainage Plan prepared by Northern Beaches Consulting Engineers, Job No. 160404/1, Revision A and dated 28.11.19.

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.

## 2. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 1 in DP 731649 which is known as No. 28 Wood Street, Manly. The site is located on the western side of Wood Street with a street frontage of 7.62m. The site is rectangular in shape and has an area of 348.8m<sup>2</sup> with a maximum depth of 45.72m. The locality is depicted in the following map:



Site Location Map

The site falls towards the rear with levels of RL15.2 adjacent to the front boundary and RL12.15 at the rear of the site. The site currently comprises a two storey brick and clad dwelling with a tiled roof. The existing dwelling currently provides for a setback of 6.65m to the street frontage as measured from the wall of the dwelling with the verandah setback 5.4m. A concrete driveway and parking space is located adjacent to the southern side boundary with the northern portion of the front yard paved. A brick fence is erected along the front boundary of the site.

Development Consent (DA138/2015) for the construction of dwelling alterations/additions was approved by Council on 17 September 2015. This approval incorporated a new deck along the front elevation of the dwelling and new 1.5m high picket fence. This resulted in a 5.4m deep at grade parking area. This application seeks to further formalise this parking area and provide an open carport. It is also proposed to update the existing fencing along the front boundary.

The site is depicted in the following photographs:



**View of Subject Site from Wood Street**

The existing surrounding development comprises a mix of detached and semi-detached dwellings and with some residential flat buildings/medium density development. The development immediately to the north of the site comprises a three storey residential flat building. The existing surrounding development is depicted in the following aerial photograph:



**Aerial Photograph of Locality**



### **3. THE DEVELOPMENT PROPOSAL**

This proposal seeks approval for the construction of a new carport over the existing hard stand area and new front fence.

The proposed carport is to be located over the existing hard surface parking area. The hardstand area will be raised to provide an appropriate gradient to provide a level parking area. The carport is to be constructed of sandstone and timber piers/posts with pitched tiled roof above. A nil setback is provided to both the southern side and street frontage boundaries. The carport has a depth of 5.0m, however the total length of the parking bay is 5.4m which is incorporated into the existing verandah. The fence immediately forward of the carport is incorporated into the carport design and can be mechanically lifted and contained within the roof space of the carport.

The proposal also seeks approval for a new front fence. The fence will have a maximum height of 1.5m and constructed of horizontal timber slats and sandstone piers.

An existing retaining wall within the front setback is also to be replaced as depicted on the plans.

The proposal will result in the following numerical indices:

**Site Area: 348.4m<sup>2</sup>**

**Existing Total Open Space: 214.6m<sup>2</sup> or 62%**

**Proposed Total Open Space: 197.1m<sup>2</sup> or 56.5%  
(as defined)**

**Existing Soft Landscape: 104.3m<sup>2</sup> or 53% of the total open space**

**Proposed Soft Landscaped: 104.3m<sup>2</sup> or 53% of the total open space**

#### **4. 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.

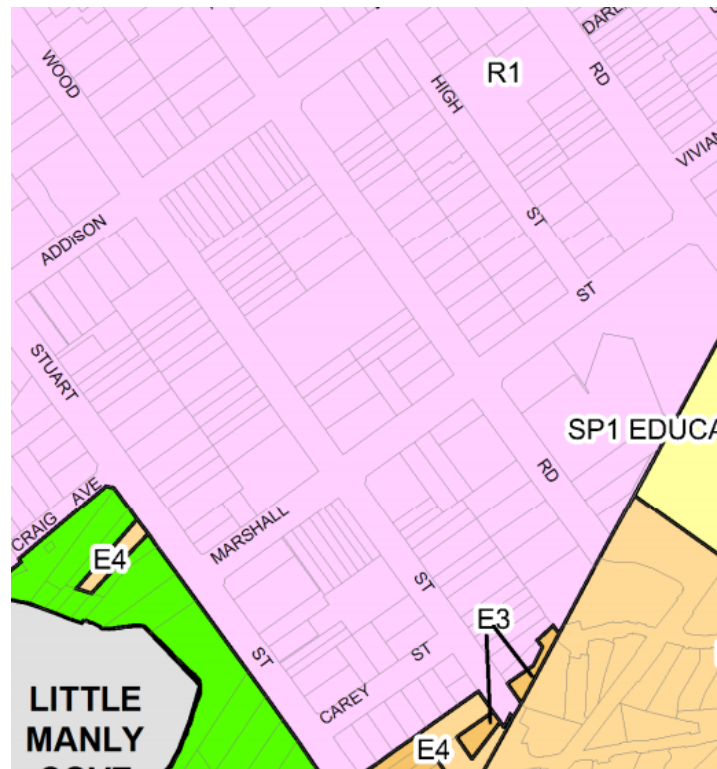
##### **4.1 Planning for Bushfire Protection 2006**



**Extract of Bushfire Prone Lands Map**

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 2018 do not apply.

## 4.2 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 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.*

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

- ☐ Ensuring the proposal compliments the existing streetscape and the existing surrounding properties.
- ☐ Retaining the existing amenity to the surrounding residences.
- ☐ Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.

Single dwellings and associated structures are a 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	Maximum Height: 4.5m	Yes



Clause	Development Standard	Proposal	Compliance
Clause 4.4 Floor Space Ratio	0.6:1	No change	Not Applicable

### Clause 6.1 Acid Sulfate Soils

The site is identified as Class 5 on Council's Acid Sulfate Soils Map. The proposal does not provide for any works greater than 1m below existing ground level and therefore no further investigation is required in this regard.

### Clause 6.5 Terrestrial Biodiversity

The site is identified as 'Biodiversity' on Council's Terrestrial Biodiversity, Wetlands and Watercourse Map. The proposed carport is located over the existing hard surface area and the proposed works do not require the removal of any trees or significant vegetation. No further information is required in this regard.

### Clause 6.9 Foreshore Scenic Protection Area

The site is identified within Council's Foreshore Scenic Protection Area. It is considered that the proposal achieves the objectives of this clause for the following reasons:

- The subject site is well separated from the foreshore and as such the proposed works will not be visible when viewed from the water or foreshore.
- The works do not result in the removal of any vegetation and therefore will not alter the landscaped character of the locality when viewed from the foreshore.
- The works do not extend above the existing roof form.

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 proposal provides for a new carport over an existing hard surface area. This is discussed in detail in response to the DCP's front setback controls, however it is considered appropriate in this instance and does not detract from the streetscape for the following reasons:

- The carport is an open structure and is compatible with a number of other parking structures both within Wood Street and the immediate locality including No. 21 Wood Street (opposite site) and recent approvals at No. 23 and 25 Stuart Street. All of these examples provide for similar pitched roof open carports with a nil setback to the street frontage.
- The proposed carport being single storey and well below the height of the existing dwelling on site will not result in any loss of views from the public domain or the surrounding properties.
- There is no alternative for parking on site. It is the only option, given the location of the existing building and that there is already an approved hardstand carspace in the location.
- The carport does not require the removal of any vegetation.

The intended outcomes are noted as:

- i) *complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality;*
- ii) *ensure the bulk and design of development does not detract from the scenic amenity of the area (see also paragraph 3.4 Amenity) when viewed from surrounding public and private land;*
- iii) *maintain building heights at a compatible scale with adjacent development particularly at the street frontage and building alignment, whilst also having regard to the LEP height standard and the controls of this plan concerning wall and roof height and the number of storeys;*
- iv) *avoid elevated structures constructed on extended columns that dominate adjoining sites such as elevated open space terraces, pools, driveways and the like. See also paragraph 4.1.8 Development on Sloping Sites and paragraph 4.1.9 Swimming Pools, Spas and Water Features;*
- v) *address and compliment the built form and style any heritage property in the vicinity to preserve the integrity of the item and its setting. See also paragraph 3.2 Heritage Considerations;*
- vi) *visually improve existing streetscapes through innovative design solutions; and*
- vii) *Incorporate building materials and finishes complementing those dominant in the locality. The use of plantation and/or recycled timbers in construction and finishes is encouraged. See also paragraph 3.5.7 Building Construction and Design*

It is considered that the proposal provides for additions to an existing dwelling that are compatible with the existing surrounding streetscape.

The new works will be compatible with the style and form of the surrounding dwellings and is not detrimental to the streetscape.

### **Clause 3.3 - Landscaping**

The proposal does not require the removal of any significant vegetation on site. The proposal complies with the numerical landscaping and open space requirements and achieves the objectives of this clause.

### **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 proposal is for a carport and front fence only, which are non-habitable structures and will not reduce privacy to the adjoining properties.
- The structure is only single storey and does not extend above the height of the existing dwelling. It is not anticipated that there will be any overshadowing to habitable areas of the adjoining properties.
- Given the works are at the front of the site and do not extend above the height of the existing dwelling, the proposal will not result in the loss of any views from the surrounding properties or the public domain.
- It is further noted that the carport is located immediately adjacent to a driveway on the adjoining property and will not have any amenity impact.

### **Clause 3.5 - Sustainability**

A BASIX Certificate is not required.

### **Clause 3.7 - Stormwater Management**

It is proposed to connect all collected stormwater to the existing approved stormwater system. The proposal provides for a carport over an existing hard surface and therefore OSD is not required. The stormwater from the proposed works will be discharged into the existing easement in accordance with the Stormwater Plans prepared by Northern Beaches Consulting Engineers and in accordance with the Manly Specification for Stormwater Drainage 2003.

## **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 <sup>2</sup>	Yes Site area is 348.4m <sup>2</sup> .
Floor Space Ratio	Refer to LEP 0.6:1	No change to existing or approved FSR.
Wall Height	Height – 6.5m	Yes Maximum height is 4.54m.
Number of Storeys	Two Storeys	Yes Proposal is single storey.
Roof Height	2.5m above wall height	Yes Refer to plans
Parapet Height: 600mm above wall height.	600mm above wall height	Not Applicable
Maximum Roof Pitch	35°	Yes Refer to plans
Building Setbacks	<p>Front Setback – Min. 6.0 metres or consistent with neighbouring.</p> <p>Side Setback – 1/3 of the height of wall.</p>	<p>The proposed carport is provided for a nil setback to the street frontage. This is discussed in detail at the end of this table.</p> <p>Maximum wall height on SE elevations is 4.54m requiring a setback of 1.5m. The proposal provides for a nil setback which is considered appropriate in this instance for the following reasons:</p> <ul style="list-style-type: none"> <li>• The site is very narrow being only 7.62m and strict compliance is unreasonable.</li> <li>• The non-compliance does not result in any unreasonable overshadowing.</li> <li>• The setbacks provided are compatible with the existing surrounding development.</li> <li>• The non-compliance does not result in any unreasonable loss of privacy. The structure is non-habitable and is adjacent to a driveway.</li> </ul>

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>Not Applicable.</p> <p>Yes Proposed works are located within the front setback.</p>
Landscaping/Open Space	<p>Open Space Area 3: Minimum total open space: 55% of site area.</p> <p>Minimum soft open space as % of total open space: 35%</p> <p>Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m<sup>2</sup>.</p>	<p>Yes Total open space provided is 197.1m<sup>2</sup> or 56.5% of the site.</p> <p>Yes Proposed soft landscaped area is 104.3m<sup>2</sup> or 53% of the total open space.</p> <p>There is no alteration to private open space area.</p>
Parking and Access	<p>Minimum 2 Spaces per Dwelling. Garages/carports shall be sited so as to not dominate the street frontage through the use of appropriate materials.</p>	<p>The site currently provides for a single car parking space forward of the dwelling and this is to be retained. This application provides for a carport over the existing parking space.</p>



Clause/ Design Element	DCP Requirement	Compliance/Comments
	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.	Yes The carport is located forward of the building line and is open on all sides. The carport has a width of only 3.5m which does not exceed 50% of the site width and complies with this requirement.
First Floor Additions	Additions may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues. Must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences	Not Applicable
Fences	Maximum height 1.0m for solid Maximum height 1.5m where at least 30% is transparent.	Yes Proposal seeks to replace the existing solid fence with a 1.5m high masonry pier and timber slat fence.

Additional comments are provided in respect of the following clause:

#### **Clause 4.1.4 Setbacks – Front**

This clause specifies the following:

- a) *Street Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.*
- b) *Where the street front building lines of neighbouring properties are variable and there is no prevailing building line in the immediate vicinity i.e. where building lines are neither consistent nor established, a minimum 6m front setback generally applies.*

Clause 4.1.6.1 Parking Design and Location of Garages, Carports and Hardstands provides further clarification specifically relating to parking structures as follows:

- b) *Garage and carport structures forward of the building line must be designed and sited so as not to dominate the street frontage. In particular:*
- (i) garages and carports adjacent to the front property boundary may not be permitted if there is a reasonably alternative onsite location;*
  - (ii) carports must be open on both sides and at the front; and*

In this regard it is considered that the carport location and setback are justified and meet the objectives of the above clauses for the following reasons:

- The carport is an open structure and is compatible with a number of other parking structures both within Wood Street and the immediate locality including No. 21 Wood Street (opposite site) and recent approvals at No. 23 and 25 Stuart Street. All of these examples provide for similar pitched roof open carports with a nil setback to the street frontage.
- The carport is a non-habitable structure over an existing hard stand parking area. The construction of the carport does not reduce privacy to the adjoining properties. The carport is located immediately adjacent to a hardstand parking area (and previous carport) on the adjoining property, No. 30 Wood Street.
- The proposal is a single storey structure and will not result in any unreasonable overshadowing. As noted above the carport is located immediately adjacent to a hardstand parking area (and previous carport) on the adjoining property, No. 30 Wood Street and as such the proposal will not reduce solar access to any habitable areas or private open space of the adjoining properties.
- The proposed carport being single storey and well below the height of the existing dwelling on site will not result in any loss of views from the public domain or the surrounding properties.
- The carport is over an existing hard surface area and does not reduce landscaping nor require the removal of any existing vegetation.
- The proposal will improve vehicular safety by providing for a level carparking space which is currently on an incline.
- There is no alternative for parking on site. It is the only option, given the location of the existing building and that there is already an approved hardstand car space in this location.

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

## **5. 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 a new carport over the existing hard surface area without detrimentally impacting on the character of the area. The proposal does not result in the removal of any significant vegetation nor is there any increase in hard surface area. 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 alterations/additions to an existing dwelling house in this zone are 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 covered off street parking and a new front fence ancillary to an existing dwelling that is consistent with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain.

## 6. CONCLUSION

This application seeks approval for the construction of a carport and front fence ancillary to an existing dwelling. 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 carport and front fence ancillary to an existing dwelling upon land at **No. 28 Wood Street, Manly** is worthy of the consent of Council.

Natalie Nolan  
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December 2019

## **APPENDIX A – LOCALITY ANALYSIS**

The Wood Street locality is characterised by a mix of single/two storey dwellings, with more recent constructions comprising larger more modern buildings. There are a number of semi-detached dwellings and residential flat buildings interspersed within the single residential dwellings.

The roof form in this area is predominantly traditional pitched. Dwellings are constructed of brick/rendered brick and tile with some clad dwellings/additions.

Fencing comprises a variety of styles including picket style fencing and solid masonry fencing.

There are a variety of parking structures, including some forward of the building line, most noticeably No. 21 Wood Street. This has been discussed in detail in the body of the report.

The proposed development has been designed to complement the existing locality. The proposal provides for a carport and fence ancillary to an existing dwelling. The proposal has been designed in response to the locality and the site's constraints and opportunities and this is demonstrated in the Statement of Environmental Effects.