

**STATEMENT OF ENVIRONMENTAL EFFECTS
PROPOSED GRANNY FLAT
AT
179 PLATEAU ROAD, BILGOLA PLATEAU**

**PREPARED BY CUNNINGHAM BUILDING SOLUTIONS UNDER INSTRUCTIONS FROM
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1. INTRODUCTION

This Statement of Environmental Effects accompanies a Development Application lodged by Mr Cameron McGeachie. The proposal seeks approval for a secondary dwelling (granny flat) to be erected in the rear backyard of 179 Plateau Road, Bilgola Plateau separate from the existing dwelling. For the purposes of this assessment the following documents are considered to be relevant to this proposal:

- Environmental Planning & Assessment Act 1979, as amended.
- Pittwater Local Environmental Plan 1993
- Pittwater 21 DCP

In addition to this Statement of Environmental Effects, the proposal is described in the following documentation:

- **Survey Plan** prepared by Richards & Loftus Surveying Services – Land & Property Surveyors
- **Architectural plans** prepared by MO Design (Maja Ozvaldic)
- **Basix Certificate**
- **Geotechnical report** prepared by Jack Hogdson Pty Ltd
- **Landscape /Tree removal plan** prepared by MO Design (Maja Ozvaldic)
- **Storm Water Concept Plan** prepared by Jack Hogdson Pty Ltd
- **Schedule of External Finishes** prepared by Cameron McGeachie

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 79C(1) of the Environmental Planning and Assessment Act 1979 including the applicable planning instruments and policies of Pittwater Council.

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. THE SITE

The subject site **Lot 315, DP 16327** and is known as **179 Plateau Road, Bilgola Plateau**. The site is located on the eastern side of Plateau Road (lower side), has an easterly aspect and has an area of 926m². The site is a rectangular wedge shaped allotment with a splayed rear boundary.

The land surface of the site drops moderately across the block at average angle of some 15 degrees. The subject site and existing dwelling is currently habited.

The site is a residential dwelling but was previously a business (Bilgola Kindergarten) for 35 years (till early 2014).

3. THE SURROUNDING LOCALITY

The area surrounding the subject site is similarly zoned to the subject site and is therefore typically residential in its appearance and is characterised by large single detached dwelling houses and residential developments.

4. THE PROPOSAL

The proposal seeks approval for a granny flat to be erected in the rear backyard of the property. The single storey dwelling will have 2 bedrooms, a laundry, a bathroom with a kitchen and living room at 60m².

The proposed development is sited along the eastern boundary of the site at a distance of 4.5metres from the rear boundary of the site. This results in a minor breach of councils building envelope controls (requirement of 5 metres from the rear boundary for a property greater than 900m², 3 metre for sites less than 900m²), but will not significantly increase overshadowing or disruption to adjoining dwellings as neighbouring properties are set back from their rear boundary with an estimated minimum distance of 17metres from neighbouring properties (from Plot 33).

External Finishes

The development is proposed to be constructed of lightweight weatherboard cladding of dark and earthy colours. Wooden cladding exterior (Dulux 'Tranquil Retreat W') and the roof of the dwellings is to be a colourbond roof (dark and earthy colour Dulux 'Monument').

Windows within the proposal are generally located in the rear direction (easterly) but will not result in any loss of privacy to adjoining properties due to the distance from neighbouring properties (which are the rear of their properties), height of the building, sufficient screening currently and further planned screening to be added (plant foliage and new fence in certain sections).

The development indices for the site resulting from the proposal are detailed on the Architectural plans.

5. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as local development 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 the relevant planning instruments and policies of Pittwater Council.

5.1 Pittwater Local Environmental Plan 1993.

Gazetted 4 February 1994, The plan aims to incorporate the relevant provisions of Warringah Local Environmental Plan 1985 into a local environmental plan for the area of Pittwater.

5.2 Pittwater 21 DCP

C1.1 Landscaping

The landscaping will comply with the provisions of this clause, see tree removal and landscape plan for details.

Screening plants will be added to the site at the rear or easterly facing fence line using Australia native Bangalow Palms (*Archontophoenix cunninghamiana*).

Garden Beds - Cabbage Tree Palms (*Livistona australis*) on the lower level and Viburnum 'Emerald Lustre' to garden bed above (west or above Granny Flat)

Removal of noxious weeds from the site (*Liquidambar styracifua* and *Camphor laurel*) will take place to accommodate the development and regeneration of the site area with new vegetation.

C1.2 Safety and Security

Building design allow visitors who approach the site to view the development area from the existing house or access the site via a side path from the existing house.

2. Access Control

Building entrances are to be clearly visible from the street, easily identifiable and will be appropriately lit. The street number of the property will be clearly identifiable.

Pedestrian access along the street frontage shall not be impeded by landscaping, street furniture or other restrictions

3. Territorial reinforcement

See site and site plan for details.

Retaining walls will be added to the site to ensure retention of sloped areas. Walls lower than 1.5m to be timber sleepers with metal posts in concrete foundation. Walls higher than 1.5m to be block work to AS3700 founded on concrete slab to engineer's specification.

Erosion and Sedimentation Control Plans (ESCP)

Soil and other stockpiles of soil that will be affected in the landscaping or movement of soil during the development will be located away from drainage areas, and will be contained by sediment fencing and with waterproof covering. Site wastes and washout areas will be protected in this way.

C1.3 View Sharing

A reasonable sharing of views is maintained to adjoining dwellings / neighbours. Views and vistas from roads and public places are to be protected, maintained.

C1.4 Solar Access

The development is sited and designed to maximise solar access during mid-winter. A good level of solar access is maintained to existing residential properties, the main private open space of any adjoining dwellings is not adversely impacted by the proposed development as per solar access diagrams supplied.

Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings is not adversely impacted by the proposed development as per solar access diagrams supplied.

C1.7 Private Open Space

The granny flat site area is provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.

Private open space is integrated with, and directly accessible from, the living areas of the dwelling. Private open space receives sufficient solar access and privacy.

The private open space provided to the rear of the property (easterly direction) will be screened from the neighbouring properties by the existing and proposed new fence as well as further screening plants to ensure that the area is private.

C1.8 Specific Controls

Size of granny flat to be a maximum of 60 square metres (with the floor area measured from the external wall).

The proposed development is sited along the eastern rear boundary of the property at a distance of 4.5 metres from the rear boundary of the site. This results in a minor breach of councils building envelope controls (required distance of 5 metres from rear boundary for a property greater than 900m² and 3 metres for sites less than 900m²), but will not significantly increase overshadowing or disruption to adjoining dwellings as neighbouring properties are set back from their rear boundary with an estimated minimum distance of 17 metres from neighbouring properties (from Plot 33).

With the total lot size of 926m² (only 26m² over the 900m² parameter) the 4.5 metre set back from rear boundary is only a minor breach of the required 5 metre rear set back requirement and will be sufficient given the neighbouring properties rear set back and proposed privacy screening treatment.

Two OSD / rainwater containment tanks will be installed (2 x 2000 litre tank, with sufficient capacity estimated from the old/new impervious surfaces) and will connect to laundry for water usage and overflow dispersion across a wide splitter pipe (6 metres) at the perimeter of the rear of the site.

A car space will be provided for tenants of the granny flat.

C1.12 Waste and Recycling Facilities

Waste and recycling facilities are accessible and convenient, and integrate with the development. The Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment.

Garbage bins will be located at the top of the property near the entrance to the main house dwelling.

C1.23 Eaves

The proposal reflects the coastal heritage and character of Pittwater. Roof forms have been optimised and appropriate solar access and shading is achieved.

D5.1 Character as viewed from a public place

The development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, due to area retained for landscaping at the rear of the block.

The Building does not dominate the neighbourhood and gives the appearance of being a maximum of one storey.

The facade fronting the neighbours incorporates design elements such as roof forms, textures, materials and the arrangement of windows has been considered in the design.

D5.3 Building colours and materials

External colours and materials will be consistent with the surrounding development and the local area to ensure the proposed development compliments the local area.

Dark and earthy colour tones will be used for the wooden cladding exterior (Dulux 'Tranquil Retreat W').

The roof of the dwellings is to be a colourbond roof (dark and earthy colour Dulux 'Monument').

D5.4 Height

The maximum height of the building structure is 4.075 metres (height of upper most ridge from chassis).

D5.5 Front building line

The front building line complies with this section of the DCP.

D5.6 Side and rear building line

The side setback from the northern boundary is more than the 1.5m space required, estimated 2m+.

The rear setback is 4.5m from the rear boundary and therefore this section of the DCP is not-complied with and request approval to build 0.5m less than the required 5m set back due to the opposing rear boundary of neighbouring properties and the 17m clearance space from adjoining properties (17m from Plot33).

D5.7 Building envelope

The proposed development does not comply with the building envelope requirements. The rear setback is 4.5m from the rear boundary (requires 5m) and therefore this section of the DCP is not-complied.

However, we believe that the development is reasonable in this particular case for the following reasons:

- The rear set back is only 0.5m less than the required rear set back (4.5m vs 5m)
- The total property size is 926m² which only accounts for 26m² more than the lower property range requirement (i.e. 450-900m² only require 3m rear set back)
- There is significant setback of the development from neighbouring properties dwellings (approximately 17m from Plot33)
- Sufficient privacy screening in place and to be added with the development.
- This area of non-compliance does not significantly increase overshadowing to the adjoining properties to the east.
- The building scale and density is screened via the height of the trees of the natural environment existing and proposed plant screenings.
- The development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.
- The bulk and scale of the development is minimised.

- Views and vistas to and/or from public/private places are not impacted by the proposed development
- A reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

D5.9 Site coverage - Environmentally Sensitive Land

The bulk and scale of the built form is minimised and a reasonable level of amenity and solar access is provided and maintained to adjoining properties.

A Maximum Site Coverage of 47% is proposed (from 45%).

D5.11 Fences - General

The proposed back fence will be timber to compliment and conserve the visual character of the neighbourhood and existing fences in place. It will also define the boundaries and edges between neighbouring properties and contribute positively to the public domain. The rear fence will also help provide a barrier for noise to the neighbouring dwellings.

6. SECTION 79C(1) ASSESSMENT

Environmental Planning Instruments – Section 79C(1)(a)

Construction of a secondary dwelling are permissible on this particular site with the consent of Council. The proposal has been assessed against the objectives and provisions of Pittwater Local Environmental Plan and Council's policies as detailed within this report. Whilst the proposal does not demonstrate strict compliance with Council's numerical controls, it is considered that strict compliance is unreasonable as detailed in this submission.

There are no other environmental planning instruments or draft environmental planning instruments, which are applicable to the proposal.

Impacts of the Development – Section 79C(1)(b)

It is not considered that the proposal will result in any detrimental impacts upon the amenity of the adjoining properties or upon the character of the surrounding area. The proposal will provide alterations/additions to the existing dwelling. These additions will not impact upon the existing streetscape and will be of an appropriate bulk and scale.

Suitability of the Site – Section 79C(1)(c)

The erection of a secondary dwelling upon the land under the Pittwater LEP is permissible with the consent of Council. In this respect it is considered that the subject land is suitable for the proposed development in that the proposal provides for a secondary dwelling without having a detrimental impact on the adjoining properties or the character of the locality.

7. CONCLUSION

The proposed development is Local Development under the terms of the Environmental Planning and Assessment Act 1979 and has been assessed against the requirements of Section 79C(1) of the Act, Pittwater LEP and Council's Policies. In this regard it is considered that this Statement of Environmental Effects has demonstrated that the proposal satisfies the aims and objectives of the above controls.

It is considered that the proposal will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area.

It is therefore considered that the proposed secondary dwellings at 179 Plateau Road, Bilgola Plateau is worthy of the support of Council.

