

Statement of Environmental Effects

**41 Wallumatta Rd
Newport**

for

Mr G and Mrs W Lawrence

*Prepared by
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The General Manager
Northern Beaches Council

Dear Sir/Madam

Development application for the construction of an attached secondary dwelling structure with a deck pergola over and media room addition to the main residence at 41 Wallumatta Rd, Newport.

Please find enclosed, a Statement of Environmental Effects in respect of a proposal to add the above mentioned structures to an existing dwelling.

Refer: Pittwater Councils DCP 2014 and LEP 2014 (as amended)
and any relevant Councils policies that apply in this instance.

Yours faithfully

N Bullen
BELLI DESIGN BUILDING PLANS

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1.0 INTRODUCTION

This S.E.E. is related to a development application that proposes the following works:-

- Detached Secondary Dwelling at the rear of the site
- The Secondary Dwelling will afford high levels of amenity for the future occupants and maintain appropriate residential amenity to adjoining properties in the terms of privacy, solar access and views
- Media room addition at front of existing building

The building form will contribute positively to the prevailing built form established within the Newport Locality

During the preparation of the design for the proposed development and this document consideration has been given to the following:-

- The Environmental Planning and Assessment Act, 1979 as amended (“the Act”)
- The Environmental Planning and Assessment Regulation
- Pittwater Local Environmental Plan 2014 (LEP 2014)
- Pittwater 21 Development Control Plan (DCP 2014)

The development is permissible in the Zone and in conformity with the desired outcomes contained within Pittwater 21 Development Control Plan, as they relate to the proposed development for this particular site.

The proposal succeeds when assessed against the heads of consideration pursuant to S 79C of The Environmental Planning and Assessment Act, 1979, as amended. It is considered that the application, the subject of this document, succeeds on merit and is appropriate for the granting of consent.

2.0 SITE DESCRIPTION AND LOCATION

The site is located at 41 Wallumatta Road, Newport, and contains an area of land that is 936.50m² in size. The land is registered under Lot 5 and DP 12797

Erected upon the land is an existing 2 storey brick/ timber framed residential dwelling.

The subject site is **Zoned E4 Environmental Living** under Council’s LEP 2014. Residential development, as proposed, is permissible with Council’s consent pursuant to the provisions of Council’s LEP 2014, 21 DCP and the Newport Locality documents.

The site is regular in shape having a primary frontage and address to Wallumatta Road of 15.545m and a depth varying between 67.45m and 72.515m. The subject dwelling is set below the street level and as such

is largely unseen from the road. The site falls away from the street with a vertical drop of 18.67m approx. over the depth of the land.

3.0 PROPOSED DEVELOPMENT

- The application proposal is for the addition of a Detached Secondary dwelling at rear of property and a Media room addition to the front of existing residence.

The proposed development is fully documented on plans numbered 2001 – 00 to 10 as prepared by **BELLI DESIGN BUILDING PLANS**.

All stormwater for the Detached Secondary dwelling is to be collected and directed to new rainwater tanks located as shown on Architectural Drawing No. 2001 – 02, 04 and WaterDesign Civil Engineers stormwater management design drawings Nos. 2020-073 /SW1 - 3

All stormwater for the media room addition is to be collected and connected to the existing Stormwater service on the Western side of the existing building.

The application is accompanied by a schedule of materials and finishes which demonstrates that the development will blend with the vegetated escarpment which forms a backdrop of the site.

4.0 STATUTORY PLANNING FRAMEWORK

4.1 Pittwater Local Environmental Plan 2014

4.1.1 Zone and zone objectives

The subject property is zoned E4 Environmental living, pursuant to the provisions of Pittwater Local Environmental Plan 2014. The stated objectives of the zones are as follows:

- *To provide for low impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that development does not have an adverse effect upon those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape.*

Secondary Dwelling houses are permissible in the zone with the consent of Council.

We have formed the opinion that the development is consistent with the zone objectives, as it retains the existing low impact residential use of the land, which does not adversely impact upon the ecological, scientific or aesthetic values of the area.

Accordingly there appears to be no statutory impediment to the granting of consent.

4.1.2 Height of Buildings

Pursuant to clause 4.3 in LEP 2014 the height of a detached secondary dwelling on any land is not to exceed 5.5m. the stated objectives of the control are as follows:

- a) to ensure that any building, by virtue of it's height and scale, is consistent with desired character of the locality.
- b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development
- c) to minimize any overshadowing of neighbouring properties
- d) to allow for reasonable sharing of views
- e) to encourage buildings that are designed to respond sensitively to the natural topography

The proposed works have a maximum building height that is less than the 5.5m allowable maximum for detached secondary dwellings.

The following comments describe how the proposed development addresses the stated objectives for Height of Building.

- The height and scale of the development is entirely consistent with the desired character of the locality
- The building height and scale will not have an adverse impact upon the residential amenity in terms of view loss, privacy, overshadowing or visual bulk.
- The building has been design as split level to follow the grade of the existing land so as to not exceed the maximum 5.5m building height

4.2 Pittwater 21 Development Control Plan

4.2.1 Newport Locality

The property is located in the Newport Locality

The desired future character of the locality is identified as being:

“The Newport Locality will remain primarily a low density residential area characterized by two storey residences in a natural landscaped setting, Interspersed by compatible land uses where appropriate. The locality will continue to be serviced by the existing retail, community and recreational facilities. Future development will be consistent with public infrastructure and environmental constraints.”

The Newport Locality will remain primarily a low density residential are characterised by two storey residences in a natural landscaped setting, interspersed by compatible land uses where appropriate.

The locality will continue to be serviced by the existing retail, community and recreational facilities. Future development will be consistent with public infrastructure and environmental constraints.

This report clearly demonstrates that the proposed development is a permissible form of development in the residential locality, and is consistent with the desired future character of Newport Locality.

4.2.2 General Controls

Contaminated Land and Potentially Contaminated Land

With reference to the **contaminated land and planning guidelines of SEPP 55**, no issues have been identified in relation to the proposed development at 41 Wallumatta Road Newport.

Flora and Fauna Enhancement

Pursuant to clause B4.4 the development shall result in no significant loss of canopy cover or net loss in native canopy trees over the subject site.

As a consequence of the development 60.1% of the site area that is not covered by buildings or structures (hard surfaces) is to remain native vegetation by the retention of existing landscaping, both natural and planted areas. Site coverage refer drg. No. 2001 -01

Stormwater disposal

All new storm water shall be collected and carried to rainwater tanks, located beneath the lower floor deck. Refer drg. No. 2001 – 02, 04 and WaterDesign Civil Engineers stormwater management design drawings Nos. 2020-073 /SW1 – 3

4.2.3 Development Type Controls

Landscaping

Pursuant to the criteria for landscaping as stated in clause C1.1 of the DCP, the development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries and natural landscape features of the site.

View Sharing

No issues in relation to loss of views/view sharing to neighbouring properties have been identified in relation to the proposed development.

Visual Privacy

Pursuant to Clause C1.5 the private open space, recreation area and living rooms of adjoining properties are not impacted upon by the proposed development. The main viewing windows in the proposed development have been positioned so as to look away from the adjoining open spaces and living rooms.

Acoustic Privacy

The acoustic privacy for neighbouring properties remains at the pre-development levels, due to the minor impact of the development upon the existing walls that face the side boundaries.

Private open Space

Pursuant to Clause C1.7, a minimum area of 80 square metres is to be provided at ground level with no dimension of that space being less than 4 metres. In addition, within the 80 square metres a minimum area of 16 square metres having a grade no steeper than 1:20 is to be provided. This requirement has been easily satisfied due to the large size of the land and the area dedicated to open space.

Waste and Recycling Facilities

The existing domestic waste and recycling arrangements for the existing dwelling remain unchanged by the proposed development, and as such the requirements of Clause C1.12 are fully satisfied.

4.2.4 Locality Specific Development Controls

Character as viewed from a public place

The proposed secondary dwelling addition to the existing building is situated at the rear of and below the existing building, and as such is not visible from Wallumatta Road, thereby resulting in minimal impact upon the streetscape values of Wallumatta Road.

The proposed front of building media room will be constructed in materials and methods to match existing so as to compliment the aesthetic value of the existing building, thereby resulting in minimal impact upon the streetscape values of Wallumatta Road

Accordingly, council can be satisfied that the proposed altered building will have no adverse impact on the visual amenity or aesthetic quality of the Newport locality.

Building Colours, Materials and Construction

The application is accompanied by a separate schedule of materials and finished that ensure that the development harmonises with the natural environment and the visual prominence of the structure is minimised. Refer Architectural drawing no. 2001-9

Front Building line

Pursuant to Clause D10.7 the minimum front building line is required to be 6.5m from any point.

The proposed new front building line is 8.0 metres at the shortest point.

The front setback meets the numerical requirement of the DCP control, achieves the desired outcomes of the control

Side and Rear Building lines and Setbacks

Pursuant to Clause D10.8, the minimum side building lines are required to be 2.5 from at least one side and 1.0m the other side.

New development is to maintain a rear setback of 6.5m minimum.

The desired outcomes of these controls are to reduce the bulk and scale of the built form, maintain equitable view sharing, and maintain a reasonable level of privacy, amenity and solar access, and the retention and planting of additional landscaping. Importantly the control seeks to provide flexibility in the siting of buildings.

The side setbacks for the development shall be:-

- East Boundary – 5.39m
- West Boundary – 1.5m

Both of the side setbacks fully comply with the DCP control.

The proposed development maintains a rear setback of 20.0m thereby fully complying with the DCP control.

Building Envelope

Pursuant to Clause D10.11, the building is to be contained within a building envelope projected at 45 degrees from a height of 3.5m above natural ground at the side boundaries to a maximum height of 5.5m

The desired outcomes of this control is to reduce the bulk and scale of the built form, maintain equitable view sharing, maintain a reasonable level of privacy, amenity and solar access and the retention and planting of additional landscaping. Importantly, the control seeks to provide flexibility in the siting of buildings.

The proposed development fully complies with the DCP control.

Landscaping area – Environmentally Sensitive Land.

Pursuant to these provisions the total landscaped area on land zoned E4 Environmental Living shall be 60% of the site area

Landscaped area is defined as follows:-

- *Landscaped area means a part of the site used for the growing of plants, grasses and trees, but does not include any building, structure nor hard paved areas.*

The stated outcomes of this control is to:-

- Achieve the desired future character of the Locality,
 - Reduce the bulk and scale of the built form,
 - Maintain equitable view sharing, maintain a reasonable level of privacy, amenity and solar access,
 - and the retention and planting of additional landscaping.
 - Conservation of natural vegetation and biodiversity,
 - Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.
- To preserve and enhance the rural and bushland character of the area.
Soft surface is to be maximized.

The proposal provides for a landscaped area as defined of 563.1m² representing 60.1% of the site area, thereby fully complying with the stated outcome.

4.3 Matters for consideration pursuant to Section 79C(1) of the EP4A Act

The following matters are to be taken into consideration when assessing an application pursuant to section 79C of the Environmental Planning and Assessment Act 1979, (as amended.)

- 4.3.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations.**
- 4.3.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.**
- 4.3.3 The suitability of the site for the development.**
- 4.3.4 Any submissions received in accordance with this Act or the regulations.**
- 4.3.5 The public interest**

Comment on all of the above matters.

In the preparation of this proposed development all of the above matters were carefully considered during the design phase.

It is our considered opinion that the result of this consideration is that the impact of the Proposal, with respect to the design and site planning is a positive one. The development is in accordance with the thrust of the planning regime and has resulted in a high level of design.

5.0 CONCLUSION

We are of the opinion that this statement addresses fully the statutory requirements applicable to the proposal and it has been demonstrated that the proposal is fully compatible with the desired future character of the Newport Locality.

The development is permissible in the zone and in full conformity with the desired outcomes as expressed in the Pittwater 21 DCP, as they relate to this development on the land at 41 Wallumatta Road, Newport.

Having given due consideration to the relevant provisions pursuant to S79C of the Environmental Planning and Assessment Act 1979 (as amended), it has been demonstrated that the proposed development is worthy of Council's approval.

Yours Sincerely

Nigel Bullen
(Building Designer)