



**32A OXFORD FALLS ROAD
BEACON HILL**

**STATEMENT OF ENVIRONMENTAL EFFECTS FOR
ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING
AND AN ATTACHED SECONDARY DWELLING**



Report prepared for
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1.0 Introduction

- 1.1 This is a statement of environmental effects for alterations and additions to an existing dwelling including a second storey and the addition of an attached secondary dwelling at 32A Oxford Falls Road, Beacon Hill.

The report describes how the application addresses and satisfies the objectives and standards of the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2000 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

- 1.2 This statement of environmental effects has been prepared with reference to the following:

- ◆ Site visit
- ◆ Architectural drawings prepared by Action Plans
- ◆ Survey by DA Surveys
- ◆ Geotechnical report prepared by Ascent Geotechnical Assessment

- 1.3 The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and streetscape and results in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

2.0 The site and its locality

- 2.1 The site is a corner lot with two street frontages, both on Oxford Falls Road. The primary street frontage is on the western frontage. The site is located at the intersection with Oxford Falls Road and Ellis Road.
- 2.2 It is an irregular shaped lot with a frontage of 26.822 metres (western frontage on Oxford Falls Rd) with 6.93 meters on the corner of the site connecting to the southern and secondary street boundary along Oxford Fall Road with a frontage of 18.593 metres. The northern side boundary is 21.946 metres and eastern side boundary is 30.493 metres. The lot has an area of 594.38m².
- 2.3 The site is currently occupied by a one - two storey brick dwelling with a tile roof and attached double garage at the front of the site. The site has vehicle and pedestrian access from the western boundary to Oxford Falls Road.
- 2.4 The site is surrounded by detached residential dwellings in all directions with Tristram Road Reserve located nearby. The site is also in close proximity to the retail and public transport services on Warringah Road.



Figure 1. The site and it's immediate surrounds

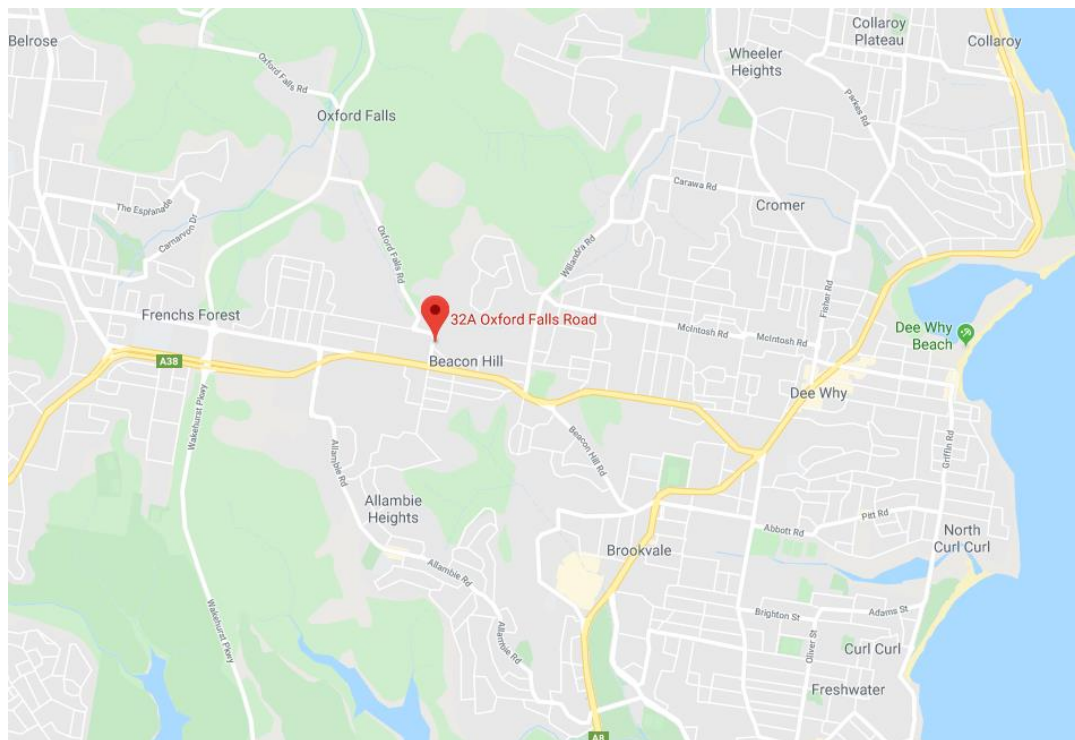


Figure 2. The site within the locality

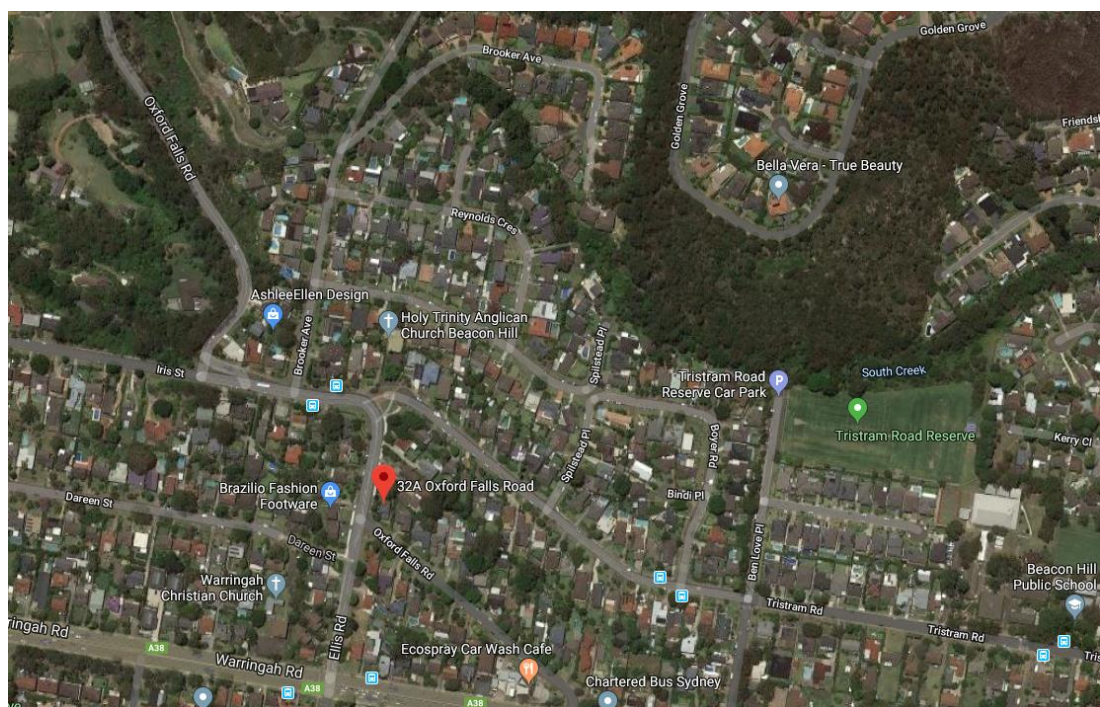


Figure 3. Aerial photograph of the site and its immediate surrounds

3. Proposed Development

- 3.1 It is proposed to add to the existing dwelling with the ground floor being altered and minimally extended, internal works to the existing first floor, updated balcony and a new first floor addition as a secondary dwelling.
- 3.2 The alterations and additions have been designed to ensure that the appearance of the dwelling is improved and remains consistent with the existing streetscape
- 3.3 The additions to the dwelling will be made up as follows:

Ground floor

Works associated with the primary dwelling:

- Removal of the existing rear external stairs.
- New rear external stairs for access to the proposed balcony on the first floor.
- New internal stairs
- New laundry
- New storage area

Works associated with the secondary dwelling:

- New external stairs
- New gate on southern boundary for pedestrian access

First floor

Works associated with the primary dwelling:

- Open plan living space including dinning and kitchen (within existing floor space)
- Extension of living space on the western boundary (enclosure of existing balcony)
- Rear balcony
- New toilet (within existing floor space)

Works associated with the secondary dwelling:

- Kitchen and living space
- 2 bedrooms with robes
- Combined bathroom and laundry
- Balcony.

The additions have been designed to ensure privacy, solar access and views are maintained for both neighbours and the subject site.

4. Site Photos



Figure 4. The existing dwelling with garage (view from West end Boundary on Oxford Falls Rd)



Figure 5. View of the subject site from the southern boundary along Oxford Falls Road.



Figure 6. Existing deck on the northern side of the dwelling



Figure 7. Existing rear yard

5. Statutory Framework

5.1 State Environmental Planning Policies

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of clause 5.9 of the standard instrument LEP relating to the preservation of trees and vegetation.

The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The development does not propose the removal of any vegetation and existing landscaping will be retained on the site.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and compliant BASIX certificates are provided with this application for the alterations and additions and the secondary dwelling.

SEPP (Affordable Rental Housing) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) aims to provide new affordable rental housing and mitigate and loss of existing affordable rental housing by providing a consistent state wide planning regime. Specifically, SEPP ARH provides for new affordable rental housing by offering incentives such as expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards.

Division 2: Secondary dwellings

Clause 19: definition

Development for the purposes of a secondary dwelling includes the following:

- a. The erection of, or alterations to, a secondary dwelling,*
- b. Alterations or additions to a principal dwelling for the purposes of a secondary dwelling.*

Note: The SEPP and the standard instrument defines secondary dwelling as:

*“secondary dwelling means a self-contained dwelling that:
is established in conjunction with another dwelling (the principal dwelling), and*

*is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and
is located within, or is attached to, or is separate from, the principal dwelling.”*

The proposed use is defined under the WLEP 2011 as a Secondary Dwelling, subject to meeting the relevant standards.

Clause 20: land to which this division applies:

Requirement	Comment
This division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones, but only if development for the purposes of a dwelling house is permissible on the land:	
Zone R1 General Residential, or Zone R2 Low Density Residential, or Zone R3 Medium Density Development, or Zone R4 High Density Residential, or Zone R5 Large Lot Residential	Yes The site is located in the R2 Low Density Residential zone and accordingly a secondary dwelling is a permissible use with consistent under the WLEP 2011.

Clause 21: Development to which this Division applies:

Requirement	Comment
This division applies to development on land to which this division applies for the purposes of a secondary dwelling.	Yes

Clause 22: Development may be carried out with consent:

Requirement	Comment
(2) A consent authority must not consent to development to which this Division applies if there is on the land, or if the development would result in there being on the land any dwelling other than the principal dwelling and the secondary dwelling.	Yes The site is currently occupied by only the principal dwelling.
(3) A consent authority must not consent to development	Yes

<p>to which this division applies unless:</p> <p>(a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land another environmental planning instrument ; and</p> <p>(b) the total floor area of the secondary dwelling is no more than 60m² or, if a greater floor area is permitted in respect of a secondary dwelling in the land under another environmental planning instrument, that greater floor area.</p>	<p>(a) As there is no adopted FSR under the provisions of the WLEP2011, the maximum total floor area is calculated using a combination of the landscaped open space requirement and the building envelope controls. The floor area as proposed would be no more than the maximum floor area allowed for a dwelling house.</p> <p>(b) The total gross floor area is 49.87m² and compliant.</p>
<p>(4) A consent authority must not refuse to development to which this Division applies on either of the following grounds:</p> <p>(a) site area if:</p> <p>(i) the secondary dwelling is located within, or is attached to, the principal dwelling, or</p> <p>(ii) the site area is at least 450 square metres.</p> <p>Parking if no additional parking is to be provided on the site.</p>	<p>Yes</p> <p>(a)(i)The secondary dwelling is attached to the principal dwelling</p> <p>(a)(ii) The site area is 594.38m²</p> <p>(b)A double garage is retained as part of the Development Application.</p>

Note: A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in sub-clause (4)

Clause 24: No subdivision:

Requirement	Comment
A consent authority must not consent to a development	Yes

application that would result in any subdivision of a lot on which development for the purposes of a secondary dwelling has been carried out under this Division.	The site does not propose any subdivision of the existing allotment.
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Conclusion

The above assessment finds that the development of the secondary dwelling is consistent with the controls of Division 2 in the SEPP (ARH), and accordingly the proposal is supported and worthy of development consent.

5.2 Warringah Local Environment Plan 2011

Zoning

The site is zoned R2 pursuant to the provisions of the Warringah Local Environment Plan 2011. The proposed development is a permissible use in the R2 zone which permits residential dwellings and secondary dwellings with development consent.



Figure 8. Extract from Warringah LEP zoning map

Height

The LEP restricts the height of any development on the subject site to 8.5 metres. The proposed development complies with this requirement with the proposed roof height of 7.35 metres.

Heritage

The site is not a heritage item, located within a heritage conservation area or located near any heritage items which will be impacted by the proposed development.

Acid Sulfate Soils

The site is not located in an area nominated as Acid Sulfate soils.

Development on Sloping Land

The site is located in the area nominated the LEP maps as Area B – Flanking Slopes 5 to 25. Accordingly, a geotechnical report has been provided by Ascent Geotechnical Consultant confirming that the development is appropriate as proposed.

5.2 Warringah Development Control Plan 2000

The relevant sections of the DCP are addressed below.

5.2.1 Part B General Controls

Wall Heights

A maximum wall height of 7.2 metres is permitted. The proposed development will result in varying wall heights with maximum wall height of 5.24 metres on the eastern which are all easily compliant with Council's DCP control.

Side Building Envelope

The site requires a side boundary envelope of 4m/45°. The Development plans demonstrate a minor non-compliance to the building envelope on the eastern elevation for the kitchen area. This is a small variation and is reasonable in this location where the impact on neighbours is negligible and the view to the building is positive.

Side Boundary Setbacks

The side setbacks of 900mm are permitted on the subject site. All proposed side boundaries are easily compliant with required setbacks.

Side setback	Proposed
North (ground floor)	unchanged
North (first floor)	2.575m
East (ground floor)	1.185m
East (first floor)	1.116m

Front Setback

A front setback of 6.5 metres on the primary road and 3.5 metres on the secondary road is permitted on the site. The ground floor of the primary setback (western setback) is within the 6.5metres and the proposed infill of the existing first floor balcony is to retain its existing 5.34 metres setback. The rest of dwelling fronting the primary road is significantly set back. The minor variance is considered acceptable as the impact from the street will be appropriate, consistent with neighbouring properties and not to the detriment of the streetscape.

The ground floor of the secondary setback (southern setback) is within the 3.5metres and the western corner of the proposed balcony on the first floor is to be set back 2.073 metres. The minor variance is considered acceptable as the subject site is an irregular shape and the bulk and scale of the dwelling is consistent with the streetscape and will not result in any privacy impacts or detriment to the Oxford Falls Road character.

Front setback (primary setback)	Proposed
Ground floor	7.5m
First floor	5.242m
Front setback (primary setback)	
Ground floor	3.5m
First floor	2.073m

Rear Setback

Due to the subject site being a corner allotment not rear setback controls are applicable.

5.2.2 Part C Siting Factors

Traffic Access and safety

A new gate is proposed on the southern boundary to provide pedestrian access to the secondary dwelling. The site has access to pedestrian, cycle and public transports links.

Parking

The garage and driveway areas are existing. No changes are proposed.

Storm water

The dwelling will be connected to Council's existing stormwater system.

Demolition and Construction

All works will be undertaken as required by Council controls and compliant with any relevant conditions of consent.

Waste Management

Appropriate waste management will be undertaken during the demolition and construction process. All demolished materials will be recycled with very limited waste

resulting from the small demolition proposed. This is detailed further in the accompanying Waste Management Plan.

The existing dwelling has appropriate waste storage areas which will be retained.

5.2.3 Part D Design

Landscaping and Open space and bush land setting

The DCP requires 40% landscaping on the site which is equivalent to 237.75m² for the site area of 594.38m². The proposed development achieves a landscaped area of 243.25m² or 40.9% and is compliant.

The landscape setting of the site is maintained and the overall appearance will be green, and in character with the Beacon Hill location.

Private open space

Private open space area in excess of 60m² will be retained for the site in the rear yard as required by the DCP. The proposed balcony on the first floor will also provide suitable private open space accessible from the living space.

The balcony and garden attached to the secondary dwelling will provide suitable private open space for the residents. A total of 35 m² with a minimum dimension of 3 meters. The proposed balcony has an area of 12m² with a length of nearly 5 metres. This private open space is accessible directly from the living space and will be suitable for the dwelling, in addition to the landscaped area of the site.

Noise

The development is appropriate and will not result in noise levels inappropriate to a residential area. The site is not located in close proximity to a noise generating activity.

Access to sunlight

At least 50% of the private open space of the subject site and the adjoining dwellings are required to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 by this clause DCP. The shadow diagrams provided with the application demonstrate that the neighbour to the east is impacted only at 3pm, with not loss of sunlight in the earlier diagrams.

Views

A site inspection of the subject site has been undertaken and the site and surrounding properties enjoy district views to the north. It is considered there are no significant views or water views.

Privacy

Privacy will be retained for neighbours with ample setbacks and no direct overlooking into any key living areas. The siting of the dwelling additions aids in ensuring that

privacy is maximised and the alterations to the existing dwelling are not to the detriment of privacy.

The orientation of the proposed balconies of the primary and secondary dwelling and their setbacks ensure that it will not overlook neighbours.

Building Bulk

The building will be consistent with the streetscape and surrounding dwellings. The overall impact of the additions to the existing dwelling and the secondary dwelling is an aesthetically pleasing and complimentary addition to Oxford Falls Road.

Building Colours and Materials

The proposed colours to complement the existing dwelling and the character of the surround area.

Roofs

The additions to the existing dwelling will provide for roofing designed to ensure continuity with the existing dwelling and complement the locality.

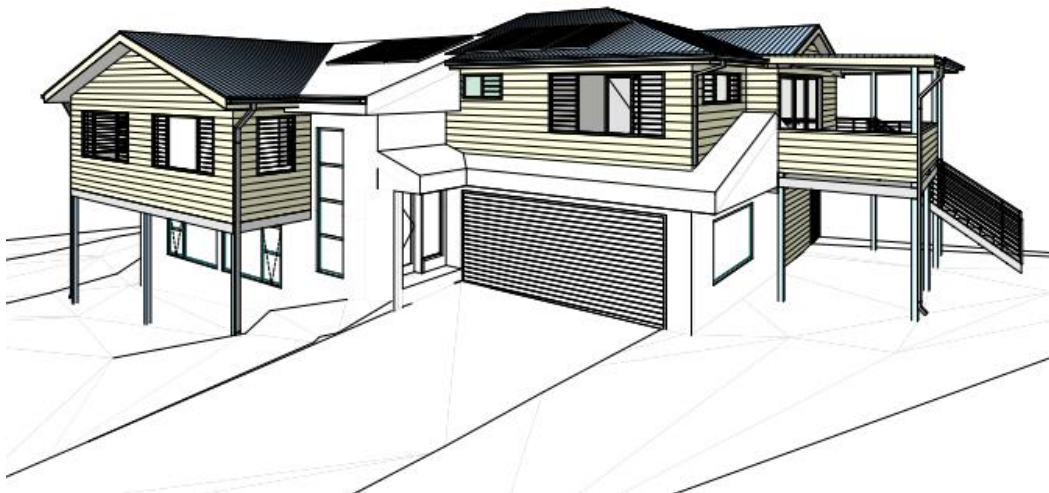


Figure 9. Proposed roof lines

Glare & Reflection

Materials have been chosen to ensure no glare or reflection issues.

Site Facilities

The existing dwelling has appropriate waste, recycling areas and drying facilities. These will be retained as part of the proposed application.

Safety and Security

An ability to view the street frontages is retained and increased allowing for casual surveillance which is to the benefit of the safety and security.

Conservation of Energy and Water

The design has achieved a BASIX Certificate which accompanies the application.

5.2.4 Part E Design**Preservation of Trees or Bushland Vegetation**

No trees are to be removed or detrimentally impacted as a result of the proposed development which primarily sits within the envelope of the portion of the dwelling which is to be demolished.

Retaining unique Environmental Factors

The development will have no impact on any unique environmental factors, with the existing natural rock forms on the street frontage retained in their current form.

Wildlife Corridors

There will be no impact on any valued wildlife as a result of the minimal replacement and improvement deck constructions.

Landslip Risk

A geotechnical report has been prepared in support of the application in its current form.

6. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Warringah LEP and DCP.

The development is permissible in the zone.

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality

6.1. *Context and Setting*

What is the relationship to the region and local context in terms of:

- the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement.

What are the potential impacts on adjacent properties in terms of:

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The proposed additions to the existing dwelling and the attached secondary dwelling have been designed to complement the site and its surrounds. The alterations are appropriate and will have negligible impact on adjacent properties.

6.2. Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

The additions will be suitable for the site, meet the demands of the dwelling. No conflict or issues will arise as a result of the proposed development.

6.3. Public domain

The proposed development will have a positive impact on the public domain as the proposal is consistent with the character of the existing dwelling and streetscape of the area.

6.4. Utilities

There will be no impact on the site, which is already serviced.

6.5. Flora and fauna

There will be no impact.

6.6. Waste

There will be no impact.

6.7. Natural hazards

The site is affected by slip. A report has been provided by an expert with regard to the geotechnical aspects of the site and is supportive of the proposal subject to recommendations. This report accompanies the development application.

6.8. Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

6.9. **Site design and internal design**

Is the development design sensitive to environmental conditions and site attributes including:

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed additions and attached secondary dwelling are highly appropriate to the site with regard to all of the above factors. The development fits well within the context of the surrounds and the buildings on the site will remain of minimal scale and well-suited to its residential surrounds.

How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia. Additionally finishes, building materials and all facilities will be compliant with all relevant Council controls.

6.10. **Construction**

What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*

- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the minimal additions proposed.

Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

The public interest

It is considered that the proposal is in the public interest as it allows for appropriate and positive additions to an existing residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

7. Conclusions

- 7.1 The proposed development application for the alterations and additions including an attached secondary dwelling at 32A Oxford Falls Road, Beacon Hill is appropriate considering all State and Council controls.
- 7.2 When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 7.3 Considering all the issues, the fully compliant development is considered worthy of Council's consent.