

STATEMENT OF ENVIRONMENTAL EFFECTS

9 SALISBURY SQUARE, SEAFORTH

**CONSTRUCTION OF DWELLING
ALTERATIONS/ADDITIONS AND NEW SPA**

**PREPARED ON BEHALF OF
Mr Samuel Allen**

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TABLE OF CONTENTS

1.	INTRODUCTION	3
2.	SITE DESCRIPTION AND LOCALITY	5
3.	THE DEVELOPMENT PROPOSAL	7
4.	ZONING & DEVELOPMENT CONTROLS	8
5.	EP&A ACT – SECTION 4.15	15
6.	CONCLUSION	16

1. INTRODUCTION

This application seeks approval for the construction of a front fence and carport ancillary to an existing dwelling on Lot 110 in DP 4889 which is known as **No. 9 Salisbury Square, Seaforth**.

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.

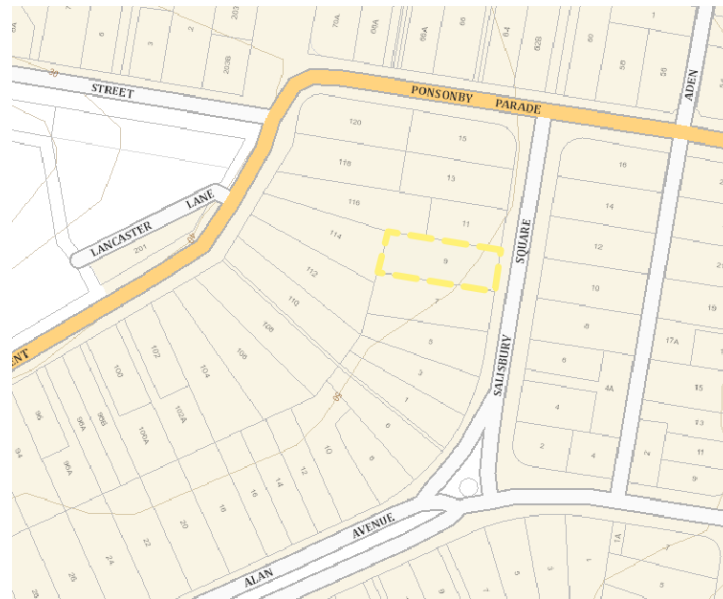
The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by DC Surveys, File No. 5077 and dated 11/11/2019.
- Architectural Plans prepared by Scope Architecture, Project No. 02203, Revision 1 and dated 08/06/2022.
- BASIX Certificate # A459521 and dated 18 May 2022.
- Geotechnical Investigation prepared by White Geotechnical Group, Job No. J4231 and dated 11/05/2022.
- Stormwater Management Plan prepared by Approved Consulting Engineers, Job No. 2022044, Revision A and dated 06/06/2022.

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.

3. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 110 in DP 4889 which is known as No. 9 Salisbury Square, Seaforth. The site is generally rectangular in shape with splayed rear boundary. The site which is located on the western side of the Salisbury Square has an area of 1,137.53m² and a street frontage of 20.115m to Salisbury Square. The northern and southern boundaries have lengths of 55.48m and 57.62m, respectively. The locality is depicted in the following map:



Site Location Map

The property has a gradual fall from the street frontage towards the rear boundary. The site currently comprises a two storey rendered brick dwelling with attached garage. The dwelling is located on the eastern portion of the site with a swimming pool located towards the rear boundary. A low rendered wall is erected along the boundary fronting Salisbury Square.

There is no significant vegetation on site. The site is not heritage listed nor is it contained within a heritage conservation area.

Development Consent (DA2020/0250) was approved on 24/08/2020 for the construction of a carport and a new front fence. These works have been undertaken.

The site is depicted in the following photographs:

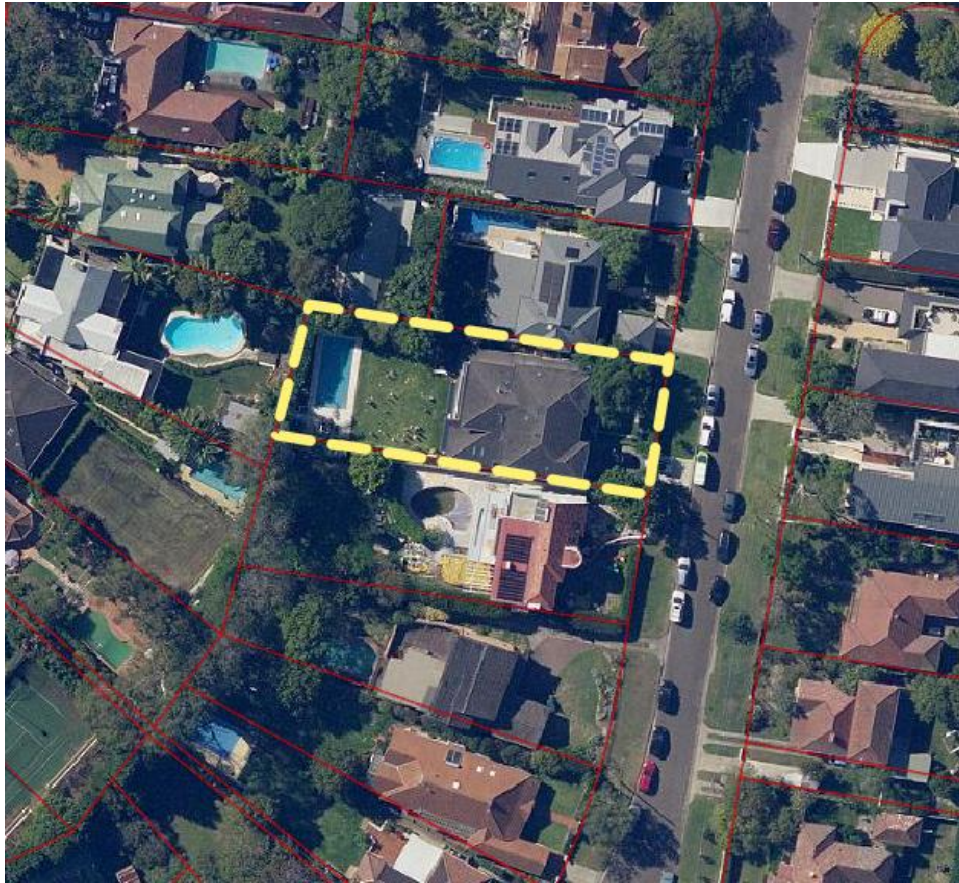


View of existing rear yard



View of Rear Yard from upper level

The existing surrounding development comprises a variety of single and two storey dwellings on similar sized allotments. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

4. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations to the existing dwelling and construction of a new spa.

Dwelling Alterations

The alterations to the existing dwelling comprises construction of a courtyard to the northwest corner of the existing dwelling. The courtyard will be located within an existing excavated area. Additional excavation and a new retaining wall will be required with a new stair to provide access to the rear yard. New sliding doors will be provided on the west (rear) elevation of the existing lower level rumpus room to enable access to the new courtyard. The new courtyard retaining wall will be setback 1.73m to the sites northern (side) boundary. A new internal wall is also proposed to the existing lower level rumpus to create a cellar.

Spa

The proposal also provides for a new spa adjacent to the existing pool and an extension of the existing pool coping. A new pool fence will be provided in accordance with the relevant controls. The extension to the pool coping retains the existing setbacks to the sites northern and southern boundaries.

The proposal will result in the following numerical indices:

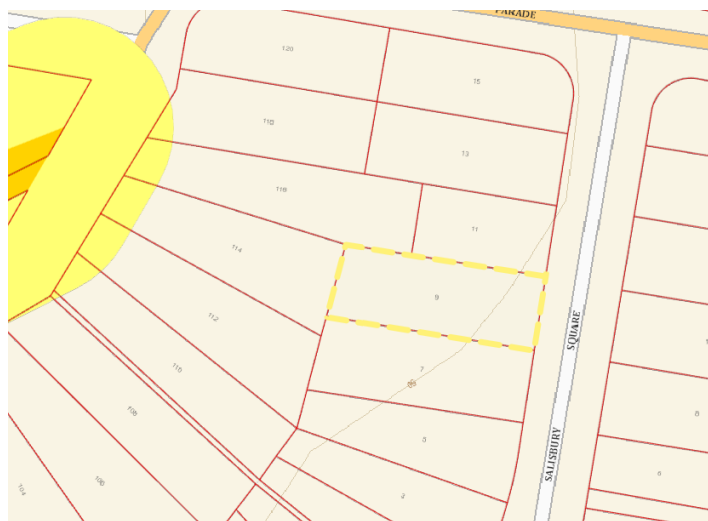
Site Area:	1,137.86m²
Total Open Space:	755m² or 66.3%
Landscaped Space:	451m² or 59.7% of the total open space.

5 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.

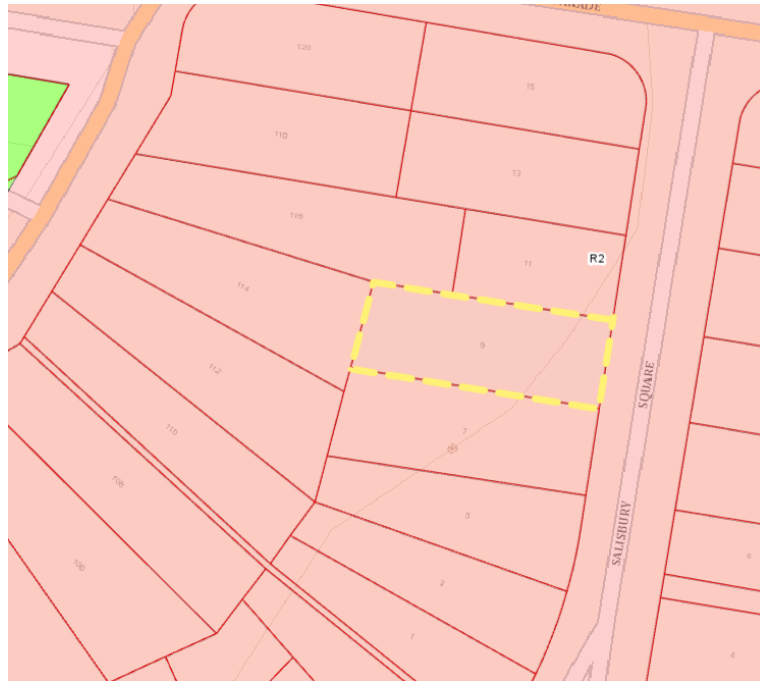
5.1 Planning for Bushfire Protection 2006

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 2006 do not apply to the proposed development.



Extract of Bushfire Map

5.2 Manly Local Environmental 2013



Extract of Zoning Map

The subject site is zoned R2 Low Density Residential. The objectives of the R2 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:

- Providing for dwelling alterations and ancillary development which is permissible in this zone.
- Retaining the existing amenity to the surrounding residences.
- Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.

Dwelling alterations and additions are permissible use in the R2 Low Density 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	<8.5m	Yes
Clause 4.4 Floor Space Ratio	0.4:1	No change to existing floor area	N/A

The following provisions of the LEP also apply:

Clause 6.1 Acid Sulfate Soils

The subject site is identified as Class 5 on the Acid Sulfate Soil map. The proposal will not have any impact in this regard. No further information is required in this regard.

Clause 6.9 Foreshore Scenic Protection Area

The subject site is identified as land within the foreshore scenic protection area and therefore this clause applies. It is considered that the proposal is consistent with the requirements of this clause and should be supported for the following reasons:

- The proposal provides for a courtyard and spa only. These structures are not visible from the foreshore or water.
- The works do not extend above the height of the existing dwelling.
- There will be no conflict between land-based and water-based coastal activities as a result of this development.

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)

All proposed works are located behind the existing dwelling and will not be visible from the streetscape or the public domain.

Clause 3.3 - Landscaping

The proposed carport is generally located over the existing driveway area, with the exception of a small extension to the south. The proposed carport will retain the existing hedge adjacent to the southern boundary and will not have any detrimental impact on existing trees.

Clause 3.4 - Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

The objectives of the clause are noted as:

- Objective 1) 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.*
- Objective 2) To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.*

It is suggested that the works will achieve these objectives as:

- The proposed courtyard and associated works are located below ground level and will not permit any views into the adjoining properties.
- The new spa and extension to the existing pool coping retains the existing side boundary setbacks and retains the existing landscaping within the boundary setbacks. This will ensure that privacy to the adjoining properties will be retained.

Clause 3.5 - Sustainability

A BASIX Certificate is not required for the proposed works.

Clause 3.7 - Stormwater Management

All collected stormwater will continue to be connected to the street gutter in Salisbury Square in accordance with Council controls.

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 D7 – 1 dwelling per 750m ²	Yes The site has an area of 1,137m ² and the proposal does not incorporate any subdivision.
Floor Space Ratio	Refer to LEP 0.5:1	Not applicable The proposal does not provide for any additional floor area.
Wall Height	Height – 6.5m	Yes
Number of Storeys	Two Storeys	Yes Carport is single storey.

Clause/ Design Element	DCP Requirement	Compliance/Comments
Roof Height	2.5m above wall height	No change to existing roof
Parapet Height: 600mm above wall height.	600mm above wall height	N/A
Maximum Roof Pitch	35°	No Change
Building Setbacks	<p>Front Setback – Min. 6.0 metres or consistent with neighbouring.</p> <p>Secondary setback – same as side boundary setback</p> <p>Side Setback – 1/3 of the height of wall.</p> <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>Yes All works are located in the rear yard.</p> <p>Not Applicable</p> <p>Yes The proposal does not provide for any additions to the dwelling. The courtyard is setback 1.73m from the northern boundary.</p> <p>Not Applicable</p> <p>Yes Proposed works comply with this setback.</p>
Landscaping/Open Space	Open Space Area 3: Minimum total open space: 60% of site area.	Yes The proposal provides for 755m ² or 66.3% of the site for open space.

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Minimum soft open space as 40% of total open space</p> <p>Minimum number of endemic trees: 4</p> <p>Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m².</p>	<p>The proposal provides for 451m² of soft open space or 59.7% of the provided total open space.</p> <p>The proposal does not require the removal of any protected trees.</p> <p>Yes</p> <p>The proposal retains ample private open space in the rear yard. The new works provide better use of the open space area and connection between the lower level of the dwelling to the rear yard.</p>
Parking and Access	<p>Minimum 2 Spaces per Dwelling.</p> <p>Garages/carports shall be sited so as to not dominate the street frontage through the use of appropriate materials.</p> <p>Carports forward of the building line shall be open on all sides. Maximum width of structures forward of the building line is 50% of site width up to a maximum of 6.2m.</p>	<p>Yes</p> <p>Existing parking retained.</p>
First Floor Additions	<p>Additions may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues.</p>	<p>Not Applicable</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	Must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences	
Swimming Pools and Spas	<p>To be built at ground level and not elevated more than 1m above ground level.</p> <p>To be located in the rear yard.</p> <p>Setback of at least 1.0m to side and rear boundaries.</p>	<p>Yes</p> <p>The proposed spa does not extend more than 1m above ground level and retains the existing side boundary setbacks provided by the pool.</p>
Fences	<p>Maximum height 1.0m for solid</p> <p>Maximum height 1.5m where at least 30% is transparent.</p>	Not Applicable

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

6. 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 alterations to the existing dwelling and new spa without detrimentally impacting on the character of the area. The proposal does not result in the removal of any vegetation protected by Council's Tree Preservation Order. The design of the proposal is such that they do not result in any loss of privacy, amenity or solar access to the adjoining properties.

The Suitability of the Site for the Development

The subject site is zoned R2 Low Density Residential and the construction of a dwelling alterations and ancillary development is 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 alterations to the existing dwelling and new spa that is compatible with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain.

7. CONCLUSION

This application seeks approval for the construction of dwelling alterations and a new spa. 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 dwelling alterations and new spa upon land at **No. 9 Salisbury Square, Seaforth** is worthy of the consent of Council.

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