



10 ARTHUR STREET FAIRLIGHT

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



Report prepared for
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Contents

1	INTRODUCTION
2	THE SITE AND ITS LOCALITY
3	SITE PHOTOS
4	BACKGROUND
5	PROPOSED DEVELOPMENT
6	STATUTORY FRAMEWORK
7	SECTION 4.15
8	CONCLUSIONS
	APPENDIX 1 – Clause 4.6 Variation – FSR

1.0 Introduction

- 1.1 This is a statement of environmental effects for alterations and additions to an existing dwelling at 10 Arthur Street, Fairlight. The proposed development is for a rear lower ground floor level addition.

The report describes how the application addresses and satisfies the objectives and standards of the Manly Local Environmental Plan 2013, the Manly Development Control Plan 2013 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
- ◆ Survey Plan prepared by C&A Surveyors
- ◆ Architectural drawings illustrating the proposed works
- ◆ Waste Management Plan prepared by the owner/applicant
- ◆ Cost of works estimate prepared by Fluid Building Services
- ◆ Clause 4.6 requested prepared by Watermark Planning

- 1.3 The proposed alterations and additions are consistent with the objectives of all Council controls, considerate of neighbouring residents and will result 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 subject site is located on the northern side of Arthur Street in Fairlight, approximately 50 metres west of its intersection with Birkley Road. The site is legally described as Lot 14 in DP 2170.
- 2.2 It is a rectangular shaped lot with front and rear boundaries of 9.145 metres, and side boundaries of 30.48 metres. The lot has an area of 278.2m² and slopes from the front (southern boundary) to rear (northern boundary), falling approximately 4 metres.
- 2.3 The site is currently occupied by a two storey brick and clad dwelling house with a tiled roof, the first floor being a mansard roof addition, and a rear deck. There is no off street parking.
- 2.4 The site is burdened by an easement to drain stormwater of 1.22 metres width along the western boundary. A sewer line crosses the site near the rear boundary.
- 2.5 The site is surrounded by detached and semi-detached residential dwellings in all directions. The subject site is serviced by the Sydney Road retail precinct to the south and is in close proximity to Manly Beach, which is located approximately 600 metres to the east.



Figure 1. The site and its immediate surrounds.

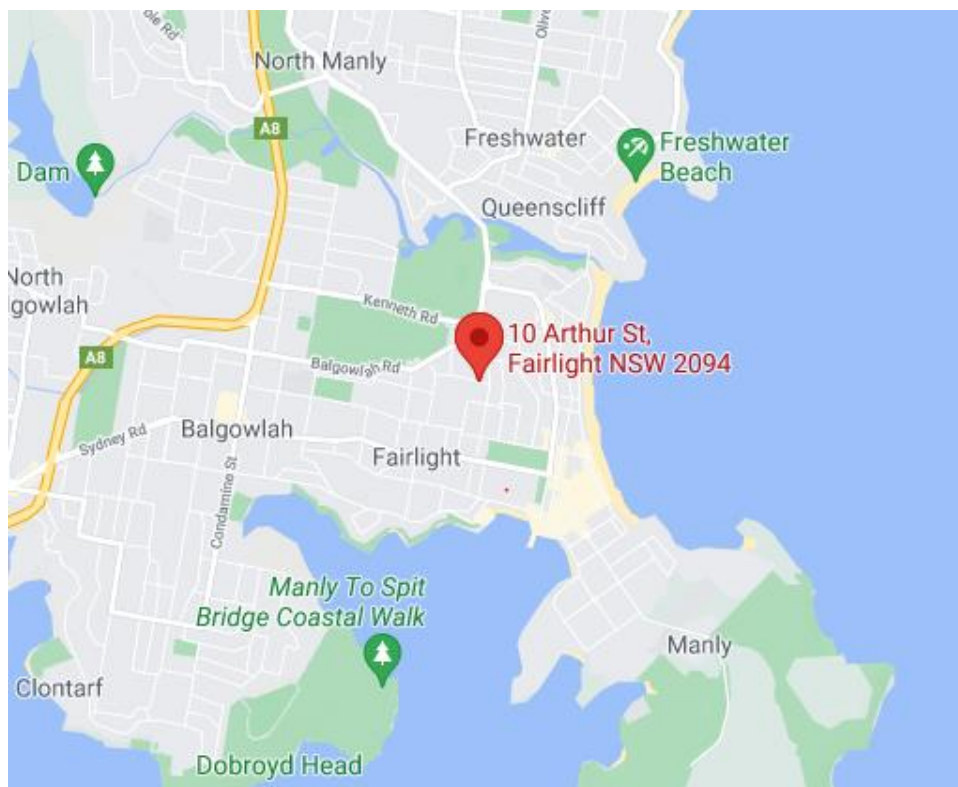


Figure 2. The site within the locality.



Figure 3. Aerial image of the site within the locality.

3. Site Photos



Figure 4. The existing dwelling, looking north from Arthur Street.



Figure 5. The rear ground floor level of the dwelling looking south, towards Arthur Street.



Figure 6. The rear yard of the subject site, looking north east.



Figure 7. Looking south along the western side boundary and the neighbouring development at 12 Arthur Street



Figure 8. Looking towards the eastern property boundary and the neighbouring development at 8 Arthur Street.

4. Background

4.1 Development Application 196/2014

4.2 On the 17 June 2015 Council's Assessment Panel (formerly Manly Council) granted development consent for alterations and additions to the existing dwelling including a rear addition at ground floor level, a rear deck (including sunshade), a new staircase at the rear and changes to window openings.

4.5 A Clause 4.6 variation to the Floor Space Ratio development standard (from a maximum permissible FSR of 0.6:1 to 0.652:1) was also granted.

5. Proposed Development

5.1 The proposed development is for alterations and additions to the existing dwelling at lower ground floor level to create additional office space.

5.2 The proposed development remains consistent with the streetscape and the locality. The proposal is consistent with Council controls, ensures privacy and solar access are maintained for surrounding properties and the subject site.

5.3 The alterations and additions to the dwelling will be made up as follows:

Lower Ground Floor

- 19.01m² addition to create larger office space, involving installation of building walls to north, east and west elevations above existing deck/hardstand area and below existing living room
- New high level window openings in east and west building elevations
- New bi-fold doors on northern building elevation.

6. Statutory Framework

6.1 State Environmental Planning Policies

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

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation.

The development remains consistent with the provisions of the SEPP as it does not propose to remove any native vegetation.

State Environmental Planning Policy No. 55 – Remediation of Land

The subject site has historically been used for residential purposes and no change of use is proposed. There is no known reason to suspect the site may be contaminated and the consent authority can be satisfied that the land is suitable for the continued residential use.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The subject site is not located within the area affected by the provisions of State Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005 (SREP 2005).

6.2 Manly Local Environmental Plan 2013

The relevant clauses of the Manly Local Environmental Plan 2013 are addressed below.

Zoning

The site is zoned R1 – General Residential, pursuant to the provisions of the Manly Local Environmental Plan 2013.



Figure 9. Extract from Manly LEP 2013 zoning map

The proposed development is for alterations and additions to the existing dwelling house and dwelling houses are permissible with development consent in the R1 zone.

Demolition

Consent is sought for demolition works as detailed on the attached DA plans.

Minimum Lot Size

The site is mapped with a minimum subdivision lot size of 250m². The subject site comprises an area of 278.2m² and no subdivision is proposed.

Height

Clause 4.3 of the LEP restricts the height of any development on the subject site to 8.5 metres. No change to the existing building height is proposed.

Floor Space Ratio

The site is mapped with a maximum FSR of 0.6:1 and equates to a maximum floor area of 167.2m² for the site area of 278.74m². It is noted that the existing house has an approved FSR (in accordance with DA 196/2014) of 181.69m² or 0.652:1.

The proposed development seeks a maximum floor area of 200.7m² and an FSR of 0.72:1.

A variation to the maximum FSR is considered appropriate, in this case the proposed variation is 33.46m².

The resulting dwelling is of a lesser or equal scale to neighbouring dwellings and presents as a compliant residence to Arthur Street.

A Clause 4.6 variation request is provided as Appendix 1.

Heritage

The site is not a heritage item or located within a heritage conservation area.

Acid Sulfate Soils

The site is mapped with class 5 acid sulfate soils. The proposed works are minor and are not likely to lower the water table.

Earthworks

No earthworks are proposed.

Flood Planning

The subject site is not identified on the NBC Flood Hazard mapping.

Stormwater Management

Existing surface stormwater is directed to the drainage infrastructure which traverses the lot. No changes to the existing stormwater arrangements will occur.

The site is burdened by an easement to drain stormwater of 1.22 metres width along the western boundary. A sewer line crosses the site near the rear boundary.

See image below extracted from Council's stormwater assets map below which shows the stormwater easement on the western boundary.

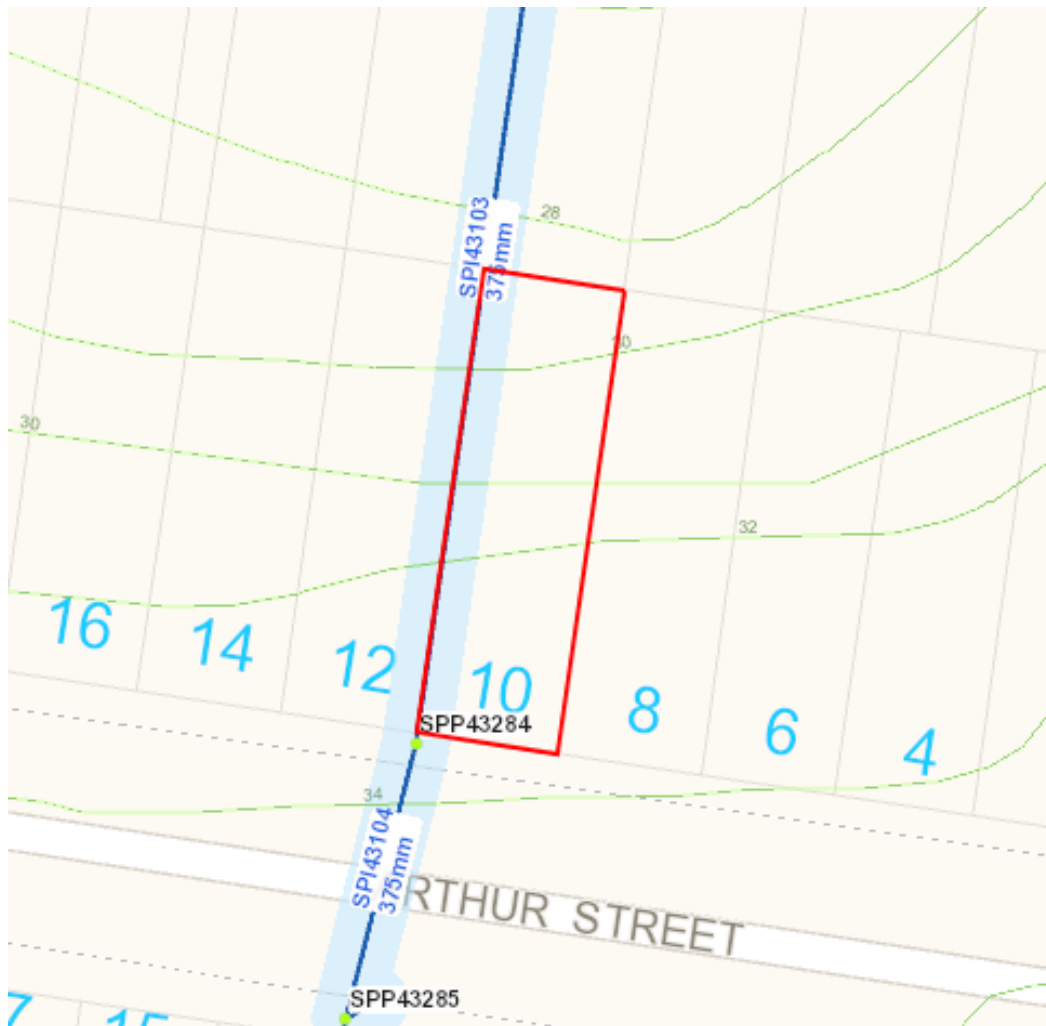


Figure 10. Extract from Northern Beaches Stormwater Map

The proposed works do not require any new footings or excavation works, it is minor above ground works only to enclose the area for additional office space (see Figure 11).

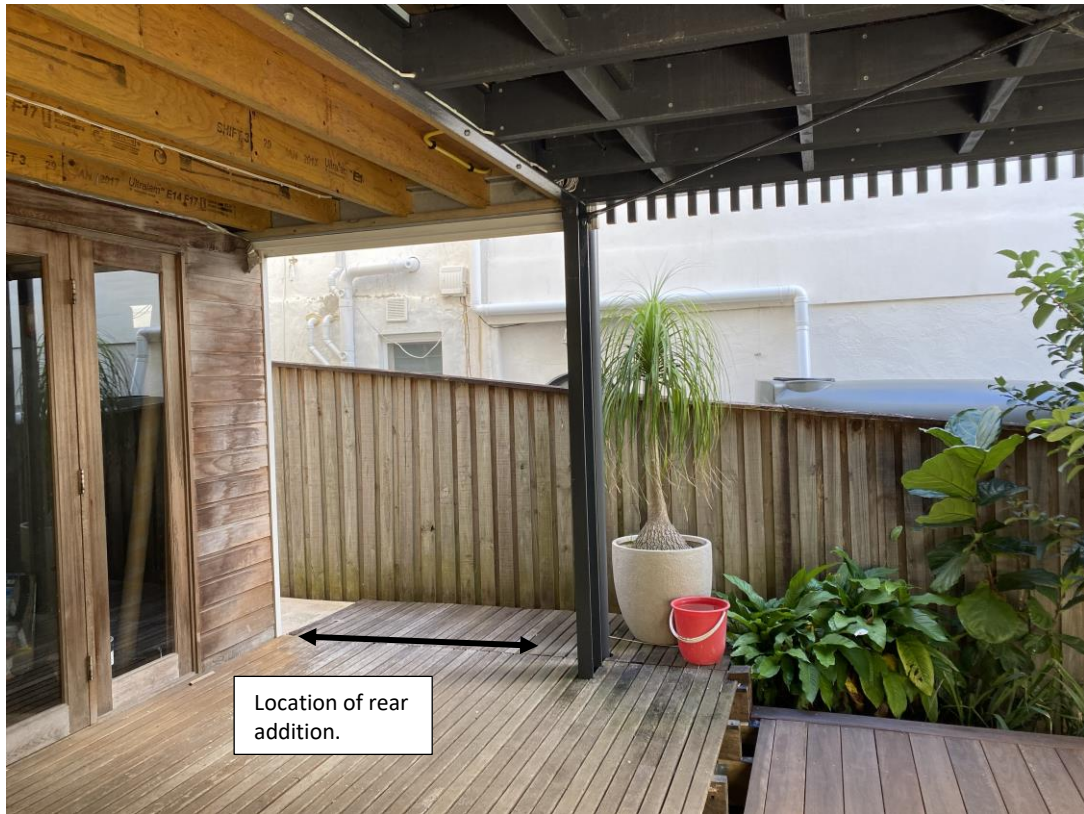


Figure 11. Existing area to be enclosed to create additional office space.

Essential Services

All essential services are existing on the site.

6.3 Manly Development Control Plan 2013

The relevant sections of the DCP are addressed below.

3. General Principles of Development

3.1 Streetscapes and Townscapes

3.1.1 Streetscape (Residential Areas)

The subject site has frontage to and is visible from Arthur Street.

The proposal seeks to provide a minor rear addition at lower ground floor level to an existing dwelling. The proposed works will not involve any changes to the existing roof form, building height and wall setbacks. New windows are proposed on the east and west elevations, with the general building bulk being unchanged. The works will not be visible from Arthur Street.

Garbage Areas

The existing dwelling has compliant bin storage areas and no change is proposed.

Complementary Design and Visual Improvement

The proposed development remains consistent with the local character and has no impact on the streetscape in the locality. The proposed works will be constructed of materials consistent with the residential use (weatherboard cladding) and are of an appropriate scale for the locality.

Roofs and Dormer Windows

The proposed works involve the installation of building walls on the north, east and west elevations, under the existing roof to the lower ground floor level. No dormer windows are proposed.

3.2 Heritage Considerations

The site is not located in close proximity to any heritage items.

3.3 Landscaping

The DCP requires a minimum of 55% of the site area as total open space, which equates to 153.3m² for a site area of 278.74m². The proposal will result in a reduction of total open space area from 195.26m² to 176.74m² (a reduction of 18.52m²). However, the site easily complies with the DCP requirement.

The proposed works will see sufficient available landscaped area (soft landscaping). Further, the existing landscaped area on the site (111.62m²) will not be affected as the proposed works involve the enclosure of an existing lower ground floor level deck/impervious area. Figure 11 above shows the location of the proposed addition.

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

Overshadowing

The DCP requires that new development not eliminate more than 1/3 of existing sunlight to the private open space of adjoining properties between 9am and 3pm on 21 June.

The proposed new works will retain the existing overall building height, scale and setbacks and will not result in any overshadowing to neighbouring properties.

3.4.1.3 Overshadowing Solar Collector Systems

The proposed development will not overshadow neighbouring solar collector systems.

3.4.1.4 Overshadowing Clothes Drying Areas

The proposed development will not overshadow neighbouring clothes drying areas.

3.4.1.5 Excessive Glare or Reflectivity Nuisance

All external material and finishes will be constructed of non-reflective materials in keeping with this clause.

3.4.2 Privacy and Security

Privacy will be retained for neighbours with ample setbacks and no direct overlooking into any key living areas.

The lower ground floor is visually separated from neighbouring properties by existing side boundary fencing.

The proposed extension incorporates a narrow high set window on the western building elevation to ensure privacy is retained to the neighbouring property.

3.4.2.3 Acoustical Privacy (Noise Nuisance)

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

3.4.3 Maintenance of Views

A site visit has been undertaken and it is considered the proposed development will have no impact on views from the subject site or adjoining properties.

3.5 Sustainability

The proposed alterations and additions provide compliant solar access and ventilation.

3.7 Stormwater Management

Stormwater from the addition will be connected to the existing drainage network onsite. Refer to discussion earlier in the report.

3.8 Waste Management

Appropriate waste management will be undertaken during the demolition and construction process. All demolished materials will be recycled where possible which is detailed in the accompanying Waste Management Plan.

Part 4 Development Controls and Development Types

4.1 Residential Development Controls

No change is proposed to the existing residential density which comprises of a single dwelling house.

4.1.2 Height of Buildings (incorporating wall height, number of storeys and roof height)

Clause 4.3 of the LEP restricts the height of any development on the subject site to 8.5 metres. The proposed works are at lower ground floor level and will not alter the maximum building height. The eastern and western wall heights (approved under DA 196/2014) will be retained.

The DCP permits a maximum of 2 stories on the subject site and the proposal meets this requirement.

4.1.3 Floor Space Ratio (FSR)

The site is mapped with a maximum FSR of 0.6:1 and equates to a maximum floor area of 167.2m² for the site area of 278.74m². It is noted that the existing house has an approved FSR (in accordance with DA 196/2014) of 181.69m² or 0.652:1.

The proposed development seeks a maximum floor area of 200.7m² and an FSR of 0.72:1 (a 20% variation).

A variation to the maximum FSR is considered appropriate, in this case the proposed variation is 33.46m². This equates to an additional 19m² to the approved and existing floor space area on the site.

The resulting dwelling is of a lesser or equal scale to neighbouring dwellings and presents as a compliant residence to Arthur Street.

A Clause 4.6 variation is attached to this application to vary the floor space ratio development standard.

4.1.4 Setback (front, side and rear) and Building Separation

4.1.4.1 Street Front setbacks

A front setback consistent with the prevailing setback, or a minimum 6 metres, is required on the site.

No change is proposed to the existing ground floor front setback.

4.1.4.2 Side setbacks and secondary street frontages

A side boundary setback equivalent of 1/3 of the wall height is required on the site which equates to 2.13 metres (west) and 2.2 metres (east).

The existing (and approved under DA 196/2014) lower ground floor side setbacks are 1.55 metres (west) and 0.75m (east) and no change is proposed to these components of the existing dwelling.

The proposed development is non-compliant with the side setback development control contained within the Manly DCP. However, it is noted that:

- The setback to the western boundary matches that of the existing (and Council approved) development on the site;
- The width of the site is relatively small;
- The setbacks are consistent with neighbouring development;
- The proposal does not result in adverse solar or visual impacts to neighbouring properties;
- The development is not visible from the street;
- The proposal does not reduce soft landscaping or involve earthworks.

As such, it is considered that the development is consistent with the objectives for setbacks contained in the DCP.

4.1.4.4 Rear Setback

A minimum rear setback of 8 metres is required on the site. The existing (and approved under DA 196/2014) rear setback of 7.5m will be unaffected by the proposed works.

4.1.5 Open Space and Landscaping

4.1.5.1 Minimum Residential Total Open Space Requirements

The DCP requires a total of 55% of the site to be open space with a minimum 35% of that open space as landscaped area. This equates to 153.3m² of open space for the site area of 278.74m² and 53.65m² landscaped area.

The development proposes a significantly greater area of total open space of 176.74m² or 63%. A total of 111.62m² or 40% of landscaped area (soft landscaping) will be retained, which easily complies with the DCP requirement.

4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)

There is no off-street parking to the dwelling and this will not change.

4.4.2 Alterations and Additions

The proposal is consistent with the DCP definition of alterations and additions.

The alterations and additions to the building will see the retention of the existing roof form, building height and wall setbacks.

7. 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 Manly 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 economic impacts in the locality

7.1. *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 alterations and additions have been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

7.2. 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?*

No conflict or issues will arise as a result of the proposed development.

7.3. Public domain

There will be no impact.

7.4. Utilities

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

7.5. Flora and fauna

There will be no impact.

7.6. Waste

There will be no impact.

7.7. Natural hazards

The site is not constrained by natural hazards.

7.8. Economic impact in the locality

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

7.9. 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 development is highly appropriate to the site with regard to all of the above factors. The proposed development fits well within the context of the surrounds and is an appropriate scale.

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 and all relevant Council controls.

7.10. 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 proposed alterations and additions.

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 use of the 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.

8. Conclusions

- 8.1 The proposed development for alterations and additions to the existing dwelling at 10 Arthur Street Fairlight, is appropriate considering all State and Council controls.
- 8.2 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.
- 8.3 Considering all the issues, the development is considered worthy of Council's consent.