

## Statement of Environmental Effects

Additions and Alterations to Residential Flat Building

At

1/153 Balgowlah Road, Balgowlah 2093

For

Johannes and Suzanna Lensink

## Contents

<b>1. Introduction .....</b>	<b>3</b>
Applicant and Owner.....	3
Location & Context.....	3
<b>2. Proposed development .....</b>	<b>5</b>
<b>3. Planning Considerations .....</b>	<b>6</b>
State Environmental Planning Policies:.....	6
Manly Local Environmental Plan 2013 .....	6
Manly Development Control Plan 2013 .....	8
<b>4. Conclusion.....</b>	<b>13</b>

## 1. Introduction

The Statement of Environmental Effects herein has been prepared as part of the supporting documentation for a Development Application in relation to alterations and additions to the existing two storey residential flat building at 1/153 Balgowlah Road, Balgowlah, Sydney. The Development Applications proposed works include: change of balcony of unit 1 to convert into a deck.

This Statement of Environmental Effects is accompanied by design drawings done by Studio Oulala Architects.

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979;
- Manly Local Environmental Plan 2013 and
- Manly Development Control Plan 2013

The proposal succeeds when assessed against the Heads of Consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the proposed use and associated works.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

## Applicant and Owner

**Applicant:**

Charlotte Vergnolle  
Studio Oulala Architects

**Owner:**

Johannes and Suzanna Lensink  
1/153 Balgowlah Road, Balgowlah, 2093, NSW.

## Location & Context

The site is identified as CP/Lot 1/SP1173. The subject site is a corner allotment with primary frontage to Balgowlah Road and secondary frontage to Marjory Thomas Place, Balgowlah, Sydney. The site has an area of 571.8m<sup>2</sup>. The topography of the site is relatively flat. The Balgowlah Road frontage to the north of the site is a busy road that has commercial buildings to the opposite side of the street from this Lot. Marjory Thomas Place to the East of this Lot, is a Cul de Sac and most of the buildings are two storey apartment buildings. An aerial location view is provided as figure 1 below.



**Figure 1: Site Location Map (Source: Six Maps)**

Development on the site consists of a two-storey apartment (Flat) building with a frontage to Balgowlah Road and a side street frontage to the cul de sac Marjory Thomas Place. Images are provided below of the existing development on the site. The site is enclosed by a 1,5 meter high timber fence.



**Figure 2:** *Balgowlah Road frontage*



**Figure 3:** *View of unit 1 at ground Floor on Marjory Thomas Place frontage*



**Figure 4 :** View of Marjory Thomas Place frontage towards Balgowlah Rd. Unit 1 is located at ground Floor

## 2. Proposed development

The proposed development is the removal of the balcony of Unit 1 at ground floor to create a deck onto the garden.



**Figure 1 :** Ground Floor level

### 3. Planning Considerations

The following section of this report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential environmental impacts are discussed below.

#### State Environmental Planning Policies:

The relevant State Environmental Planning Policies applicable to the land and the development types have been considered. No further investigation is required pertaining to this development.

#### Manly Local Environmental Plan 2013

##### Zoning and Permissibility

The subject site is Zoned R1 General Residential. The objectives of R1 General Residential zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

**The proposed works relate to alterations and additions to an existing residential flat building which is a permissible use in the R1 zone. As such, the works are permissible with consent.**

##### Floor Space Ratio (FSR)

Pursuant to clause 4.4 in the LEP, the site has a maximum floor space ratio control calculated at 0.6:1. The objectives of the FSR control are as follows:

- a) to ensure the bulk and scale of development is consistent with the existing and desired Streetscape character,*
- b) to control building density and bulk in relation to a site area to ensure that development does not obscure important landscape and townscape features,*
- c) to maintain an appropriate visual relationship between new development and the existing character and landscape of the area,*
- d) to minimise adverse environmental impacts on the use or enjoyment of adjoining land and the public domain,*
- e) to provide for the viability of business zones and encourage the development, expansion and diversity of business activities that will contribute to economic growth, the retention of local services and employment opportunities in local centres*

**The FSR requirement for this Lot will be unchanged by the proposal**

## Height of Buildings

Pursuant to clause 4.3 in the LEP the maximum building height is measured at 8.5m. The objectives of the control are as follows:

- a) to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future Streetscape character in the locality,*
- b) to control the bulk and scale of buildings,*
- c) to minimise disruption to the following:*
  - i. views to nearby residential development from public spaces (including the harbour and foreshores),*
  - ii. views from nearby residential development to public spaces (including the harbour and foreshores),*
  - iii. views between public spaces (including the harbour and foreshores),*

**The proposed decking will not impact the maximum height**

## Acid Sulfate Soils

Pursuant to clause 6.1 of the LEP the objective is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The subject site is mapped as being within class 5 acid sulfate soils.

**No excavation works are required with this application that would impact on acid sulfate soils.**

## Manly Development Control Plan 2013

This plan applies to the land and requires consideration based on the development type. The relevant development controls within the plan have been addressed within Table 2 below.

Section	Development Control	Objective	Statement of compliance
3.1	<b>Streetscapes and Townscapes</b>	<ul style="list-style-type: none"> <li>- To minimise any negative visual impact of walls, fences and carparking on the street frontage.</li> <li>- To ensure development generally viewed from the street complements the identified streetscape.</li> <li>- To encourage soft landscape alternatives when front fences and walls may not be appropriate.</li> <li>- To ensure that all parking provision is designed and sited to respond to and respect the prevailing townscape.</li> <li>- To assist in maintaining the character of the locality.</li> <li>- To recognise the importance of pedestrian movements and townscape design in the strengthening and promotion of retail centres.</li> <li>- To minimise negative visual impact, in particular at the arterial road entry points into the Council area and the former Manly Council area, so as to promote townscape qualities.</li> </ul>	<p>The proposed decking will have minimum impact on the streetscape. It will be located behind the existing timber fence and complement it. The proposed plants between the deck and the fence will add additional privacy and promote townscape quality.</p> <p>The overall scale of the addition has a very low impact on the existing building and are suitable in the streetscape.</p> <p>Refer to DA Elevation DA05.</p>
3.3.1	<b>Landscape design</b>	To encourage appropriate tree planting and maintenance of existing vegetation To retain and augment important landscape features and vegetation remnant populations of native flora and fauna.	The landscape design (refer to Landscape Design Plan DA06) responds to the character of the area and the planting schedule comprises Australian Native plants that will complement the existing garden and soften the interface between the street and the allotment.
3.3.2	<b>Preservation of Trees</b>	To protect and enhance the urban forest of the Northern Beaches.	No trees are proposed to be removed
3.4	<b>Amenity Views, Overshadowing, Overlooking /Privacy, Noise)</b>	<ul style="list-style-type: none"> <li>-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 including noise and vibration impacts</li> <li>-To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.</li> </ul>	<p>The proposed additions have little or no impact on neighbour's views or privacy including noise and vibration. The added landscape will soften the views.</p> <p>It will maximise the provision for open space by increasing the outdoor area that will be used for recreational needs.</p>
3.4.1	<b>Sunlight Access Overshadowing</b>	To provide equitable access to light and sunshine. To allow adequate sunlight to penetrate	There will be no impact on sunlight access



		<ul style="list-style-type: none"> <li>private open spaces within the development site; and</li> <li>private open spaces and windows to the living spaces/ habitable rooms of both the development and the adjoining properties</li> </ul> <p>To maximise the penetration of sunlight including mid-winter sunlight to the windows, living rooms and to principal outdoor areas by:</p> <ul style="list-style-type: none"> <li>encouraging modulation of building bulk to facilitate sunlight penetration into the development site and adjacent properties; and</li> <li>maximising setbacks on the southern side of developments to encourage solar penetration into properties to the south.</li> </ul>	
3.4.2	<b>Privacy and security</b>	<p>To minimise loss of privacy to adjacent and nearby development by:</p> <ul style="list-style-type: none"> <li>appropriate design for privacy (both acoustical and visual) including screening between closely spaced buildings;</li> <li>mitigating direct viewing between windows and/or outdoor living areas of adjacent buildings.</li> </ul> <p>To increase privacy without compromising access to light and air. To balance outlook and views from habitable rooms and private open space. To encourage awareness of neighbourhood security</p>	<p>There will be no change to the privacy.</p> <p>The addition of planting will enhance visual privacy and mitigate direct viewing between the street and windows to living areas.</p>
3.5	<b>Sustainability</b>	<p>Section 5(a)(vii) of the <i>Environmental Planning and Assessment Act 1979</i> encourages ecologically sustainable development. Council require that the principles of ecologically sustainable development be taken into consideration when determining development applications under section 79C of the <i>Environmental Planning and Assessment Act 1979</i> and under this plan</p>	<p>The proposed design will be made of timber which will have a sustainable impact.</p>
3.7	<b>Stormwater</b>	<p>To manage urban stormwater within its natural catchments and within the development site without degrading water quality of the catchments or cause erosion and sedimentation. To manage construction sites to prevent environmental impacts from stormwater and protect downstream properties from flooding and stormwater inundation.</p>	<p>The proposed deck is pervious and there will be no change to the existing stormwater plan.</p>
3.8	<b>Waste management</b>		<p>Provided for consideration</p>
4.1.3	<b>Floor Space ratio</b>	0.6:1	N/A
4.1.4.1	<b>Front Setback</b>	<p>Street Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.</p>	<p><b>Non compliant:</b> The existing balcony is already encroaching on the Front setback.</p>

		Projections into the Front setback may be accepted for unenclosed balconies, roof eaves, sun-hoods, chimneys, meter boxes and the like, where no adverse impact on the streetscape or adjoining properties is demonstrated to Council's satisfaction.	The proposed decking will have a minimal visual impact on the street scape. <ul style="list-style-type: none"> <li>- It will be concealed by the proposed planting, existing camelia trees and existing fence.</li> <li>- The location of the deck at the back of the building will not result in any unreasonable adverse visual impact when viewed from the neighbouring properties</li> </ul>
<b>4.1.4.2</b>	<b>Side Setback</b>	Setbacks between any part of a building and the side boundary must not be less than one third of the height of the adjacent external wall of the proposed building.  Side setbacks must provide sufficient access to the side of properties to allow for property maintenance, planting of vegetation and sufficient separation from neighbouring properties  For secondary street frontages of corner allotments, the side boundary setback control will apply unless a prevailing building line exists. In such cases the prevailing setback of the neighbouring properties must be used. Architecturally the building must address both streets.	N/A
<b>4.1.5</b>	<b>Open Space and Landscaping</b>	55% Open Space 35% Soft Landscaping	The works proposed will increase the existing open space and landscape area on the site. Refer to architectural drawing number DA03 and DA06
<b>4.1.5.1</b>	<b>Minimum open spaces</b>	at least 50% of site area A minimum unbroken area of 12sqm	Improves and Complies.
<b>4.1.8</b>	<b>Development on sloping sites</b>	Site stability assessment	The site is in zone G4. Based on schedule 11, nor report is required.

4.15(1)(A)(IIIA) – Provisions of any Planning Agreement that has been entered into under Section 7.4, or any Draft Planning Agreement that a Developer has offered to enter into under Section 7.4

Not applicable.

4.15(1)(A)(IV) – Provisions of the Regulations that apply to the Land

Not applicable.

4.15(1)(B) – The Likely Impact of the Development including Environmental Impacts on both the Natural and Built Environments, and Social and Economic Impacts in the Locality

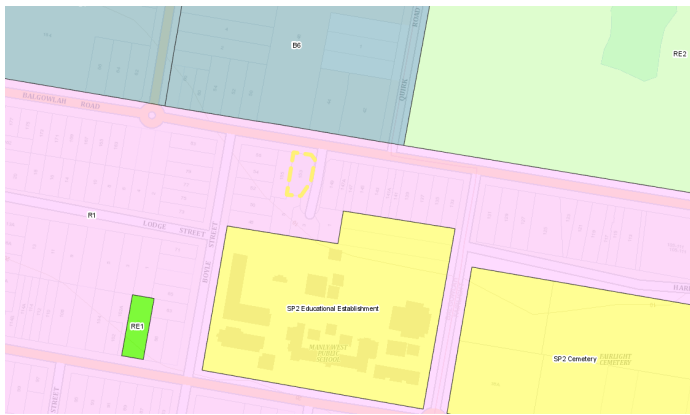
**Context and Setting:**

The site is situated at 153 Balgowlah Road in the Northern Beaches Local Government Area. The site is approximately 571.8m<sup>2</sup> in area (Refer to **Survey Plan**).

The site is occupied by an existing two storey brick residential flat building with a pitched tiled roof and attached garage that will be accessed by a driveway from Marjory Thomas Place.

Surrounding development consists of commercial development to the north, and residential development to the east and south and West.

Land surrounding the development is zoned 'R1 General Residential' and 'SP2 Infrastructure and B6 Enterprise corridor'. (Refer **Figure below**).



**Soils and Geology:**

Not applicable to this development, no further action is required.

**Hydrology, Flooding and Water Quality:**

Not applicable to this development, no further action is required.

**Flora and Fauna:**

Not applicable to this development, no further action is required.

**Bushfire:**

Not applicable to this development, no further action is required.

**Aboriginal and Cultural Heritage:**

A search of the NSW Environment and Heritage was undertaken and did not identify any Aboriginal or cultural heritage items on this site.

Not applicable to this development, no further action is required.

**Noise and Vibration:**

Noise generated from the subject site development works will be minor and occur between normal operating hours and will not adversely affect the surrounding properties.

Current surrounding noise is generated by traffic along Balgowlah Road with consistent noise for most parts of the day.

Not applicable to this development, no further action is required.

**Air Quality / Climate / Energy:**

Minimal impact, no further investigation is required.

**Traffic and Transportation:**

Minimal impact, no further investigation is required.

**Visual Characteristics:**

Minimal impact, no further investigation is required.

**Social / Economic:**

Minimal impact, no further investigation is required.

**Waste Management:**

Waste management plan provided for consideration.

**Cumulative Environmental Impacts:**

Minimal impact, no further investigation is required.

**Environmentally Sustainable Development:**

Minimal impact, no further investigation is required.

**Climate Change:**

Minimal impact, no further investigation is required.

4.15(1)(C) – The Suitability of the Site for the Development

The proposal is in keeping with the existing character of the locality based on the current and existing use of the land, it is in alignment with the objectives of the relevant strategies, is deemed to satisfy the relevant development controls and standards as well as being consistent with the objectives of the 'R1 General Residential Zone'. Being an existing and established use, on this basis it is considered that the site is suitable for the proposed development.

4.15(1)(D) – Any Submissions made in accordance with this Act or the Regulations

The application will be notified in accordance with the relevant plan or policy applicable and at Council's discretion. Additional information required to address any submissions received will be provided to enable the assessment of the application.

4.15(1)(E) – The Public Interest

The public interest is best served through the orderly use of the land for purposes which it is zoned and in accordance with the relevant planning controls and policies. The proposed development is consistent with the relevant strategies and complies substantially with the relevant policies and controls governing the land.

## 4. Conclusion

The proposal described in this document and the accompanying architectural drawings produced by Studio Oulala Architects, to build a deck over the existing balcony of unit 1/153 Balgowlah Road, Sydney, overall is consistent with the development standards and controls within the local environmental plan and development control plan that apply to the land.

The proposal has a minimum impact to the existing building. The design provides a high level of amenity for the future occupants whilst maximising the provision for open space and recreational needs. It is appropriately addressing the sites setting and maintaining the amenity of the nearby residential properties. The development will provide a quality addition to the existing building and a fine outcome on the site.

Overall, it is considered that the proposal will not have any significant environmental impact and will not jeopardise the public interest. As such, it is considered that there is no reason as to why this proposed development should not be granted approval.