



5 CADOW STREET FRENCHS FOREST

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



Report prepared for
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May 2022

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1. Introduction

1.1 This is a statement of environmental effects for alterations and additions to an existing dwelling house at 5 Cadow Street, Frenchs Forest.

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 2011 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:

- ◆ Survey prepared by VMark Survey Pty Ltd
- ◆ Site visit
- ◆ DA Plans prepared by Action Plans
- ◆ BASIX Certificate prepared by Action Plans
- ◆ Preliminary Geotechnical Report prepared by White Geotechnical Group

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

2. The site and its locality

- 2.1 The subject site is located on the eastern side of Cadow Street, approximately 25 metres north of its intersection with The Esplanade, in Frenchs Forest. The site is legally described as Lot 4 in DP628329.
- 2.2 It is an irregular shaped lot with boundaries of 6.095 metres (east to west), 6.095 metres (north to south) and 25.570 metres (all north and side), 21.535 metres (east and Cadow Street frontage) and 26.985 metres (south and side), 27.505 metres (west and rear). The site has an area of 656m² and has a gentle rise from the Cadow Street frontage. The dwelling and landscaped surrounds are situated on a relatively flat parcel of land. The site is currently occupied by a single storey brick house with metal roof, a swimming pool, a double enclosed garage and a concrete parking area in the north easter corner of the site.
- 2.3 The property is surrounded by detached residential dwellings in all directions. It is located in close proximity to local shops at Forestway Shopping Centre and public transport services on Forest Way and Warringah Road.



Figure 1. The site and its immediate surrounds



Figure 2. The site within the locality

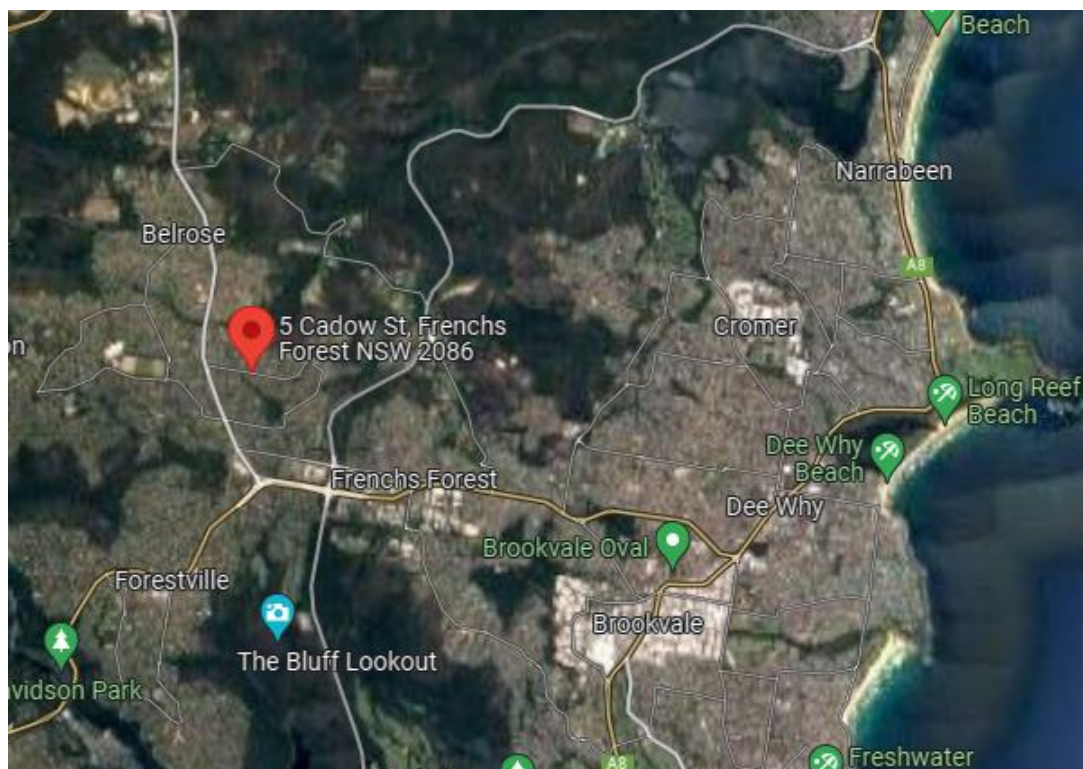


Figure 3. Aerial image of the site within the locality

3. Site Photos



Figure 4. Looking west from Cadow Street, the existing dwelling on the site



Figure 5. Looking north west from the front yard towards the swimming pool



Figure 6. Looking south east from the northern side of the dwelling towards the swimming pool



Figure 7. Looking west, the northern side setback of the site



Figure 8. Looking south, the existing rear setback to the dwelling house



Figure 9. Looking north, the rectangular piece of the site projecting out in the north western corner



Figure 10. Looking east, the southern side setback



Figure 11. The existing rainwater tank on the northern side of the dwelling (to be relocated to the southern side of the dwelling)



Figure 12. Looking west, from the eastern side boundary towards 3 Cadow Street (48 The Esplanade)

4. Proposed Development

The proposed development is for alterations and additions to the existing dwelling house on the subject site.

The proposed development is compatible with the surrounding residential neighbourhood and consistent with Council controls. The proposed development has been designed to maximise amenity for both the adjoining properties and the subject site.

The proposed works are as follows:

Existing Ground Floor

- demolition works to allow for the construction of the new first floor level
- reconfiguration of internal layout, including reconfiguration of the living and dining room
- new sliding doors off living area (northern and western side of dwelling)
- 900mm shadow protection above new sliding door on western elevation
- new window to study
- access stair to first floor level
- new narrow paved area off living area on northern side
- relocate existing water tank to sit adjacent to the northern property boundary

New first floor level

- master bedroom with WIR, ensuite and east facing balcony
- bedrooms 1 & 2
- bathroom
- living area
- attic space within roof

Roof

- three new skylights in roof above terraced area adjacent to pool

5. Statutory Framework

5.2 State Environmental Planning Policies

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 a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 (formerly SEPP Vegetation in Non-Rural Areas 2017)

State Environmental Planning Policy (Biodiversity and Conservation) 2021 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The proposal does not involve the removal of any trees and the development remains consistent with the provisions of the SEPP.

State Environmental Planning Policy (Resilience and Hazards) 2021 (formerly SEPP 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.

5.3 Warringah Local Environment Plan 2011

The relevant clauses of the Warringah Local Environmental Plan 2011 are addressed below.

Zoning

The site is zoned R2 Low Density Residential, pursuant to the provisions of the Warringah Local Environmental Plan 2011. The proposed development is for alterations and additions to an existing dwelling house on the subject site. Dwelling houses are permissible with development consent in the R2 zone.

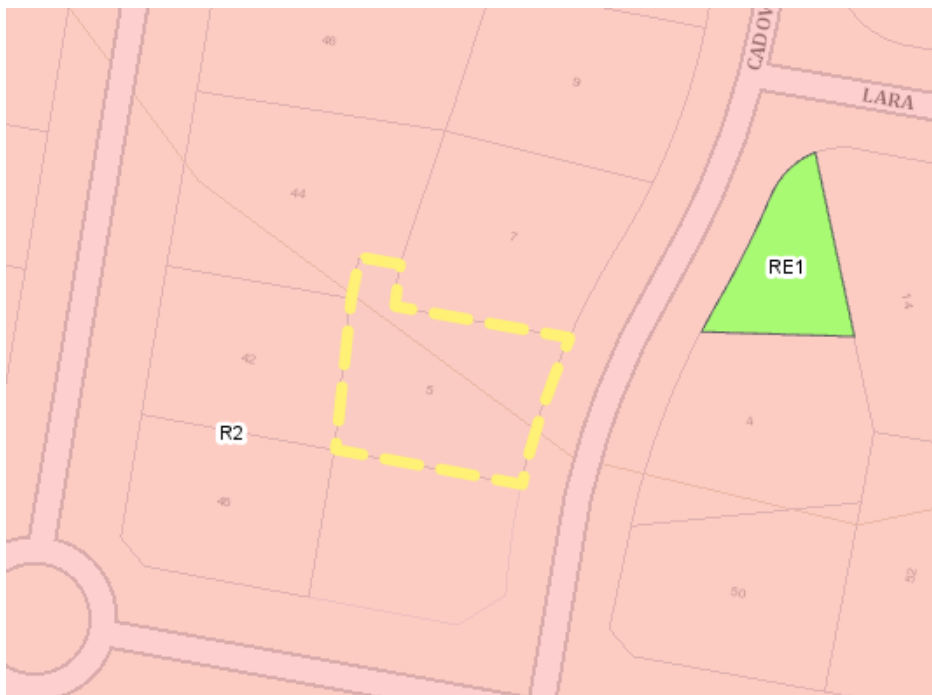


Figure 13. Extract from Warringah LEP zoning map

Demolition

Consent is sought for demolition works to the existing dwelling as illustrated on the attached architectural drawings.

Minimum Lot Size

The site is mapped with a minimum lot size of 600m². The subject site comprises of a compliant area of 656m², and no subdivision is proposed.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres. The development proposes a compliant maximum building height of 7.168 metres.

Heritage

The property is not a heritage item, located within a heritage conservation area or located near any heritage items.

Acid Sulfate Soils

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

Earthworks

No earthworks are required to prepare the site for construction of the alterations and additions.

Standard erosion and sediment control measures will be implemented, and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

Development on Sloping Land

The site is located in the area nominated as Area A – Slope <5° and Area B– Flanking slopes 5° to 25°. As such the consent authority must be satisfied that:

- (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and*
- (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and*
- (c) the development will not impact on or affect the existing subsurface flow conditions.*

The attached preliminary assessment of site conditions prepared by White Geotechnical Group demonstrates the proposal complies with Council controls.

5.4 Warringah Development Control Plan 2011

The relevant sections of the Warringah DCP 2011 are addressed below.

5.4.1 Part A Introduction

Objectives

The proposed development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposal is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

5.4.2 Part B General Controls

Wall Heights

A maximum wall height of 7.2 metres is permitted by the DCP and the development proposes a compliant maximum wall height of 7.155 metres.

Side Building Envelope

The DCP requires a side boundary envelope of 4m/45° and the proposed development complies with this requirement.

Side Boundary Setbacks

Side setbacks of 900mm are permitted on the subject site by the DCP. The development proposes compliant minimum side setbacks as outlined in the table below.

Side setback	Existing	Proposed
North	<u>Ground level</u> 3.019m	<u>Ground level</u> Yes - no change <u>New first floor level</u> 6.3m – yes complies
South	<u>Ground floor level (garage)</u> 770mm (existing non-compliance)	<u>Ground level</u> Yes – no change <u>New first floor level</u> 2.707m – yes complies

Front Setback

A front setback of 6.5 metres is required by the DCP. The existing dwelling is setback 6.620 metres from the front property boundary and no change is proposed.

Rear Setback

The DCP requires a rear building setback of 6 metres on the site and the existing dwelling is setback 1.863 metres from the rear property boundary. No change is proposed to the existing rear setback at ground level.

The development proposes a minimum setback of 2.762 metres to the new first floor level. However, the first floor level steps back to provide a significantly larger setback in the south western corner of the site (see Figure 15 below).

The development is considered appropriate in this instance, as it remains consistent with the objectives of the control, despite the variation, as addressed below:

- *To ensure opportunities for deep soil landscape areas are maintained.*

Comment

The existing development has a non-compliant landscaped open space area, as detailed further below. The proposed development results in a very minor decrease of 4.27m² to the existing landscaped open space area due to a small area of new paving on the northern side of the dwelling.

The proposed development consists of a new first floor level, with no external changes at ground floor level other than the small area of paving. Therefore, the proposal will have a negligible effect on the existing deep soil landscape areas on the site.

- *To create a sense of openness in rear yards.*

Comment

The positioning of the existing dwelling house on the site has resulted in a reduced setback to the rear property boundary, with no rear yard. The proposed first floor level does not alter the setback at rear ground floor level. Further, the generous northern side setbacks will be retained.

A majority of the landscaped open space is currently provided within the northern side setback and at the front of the dwelling, adjacent to the pool area. The site achieves a more than adequate sense of openness in the north eastern corner of the site, including soft landscaping and the in ground pool.

- To preserve the amenity of adjacent land, particularly relating to privacy between buildings.

Comment

The new first floor level provides a greater setback to the rear property boundary than the existing ground level setback. Refer architectural drawing DA07 prepared by Action Plans and attached to this development application which illustrates the stepping back of the dwelling at the new first floor level. With only two high set windows proposed in the western elevation at first floor level, it is not anticipated that the reduced setback will significantly affect the privacy or amenity of neighbouring properties.

- To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.

Comment

The proposal remains consistent with the existing building pattern of the street, rear gardens and landscape elements of neighbouring properties. It also retains the landscaped setting within the front and northern side boundary setbacks.



Figure 14. Like the subject dwelling, the neighbouring properties at 46 The Esplanade and 3 Cadow Street (48 The Esplanade) are built to the rear property boundary

- To provide opportunities to maintain privacy between dwellings.

Comment

As stated above, the proposed development ensures that privacy is maintained between dwellings.

At first floor level, new high-set windows (W02 and W03) are proposed on the western elevation where the greatest setback is provided. There are no windows proposed on the southern elevation. Refer Figures 15 and 16 below.

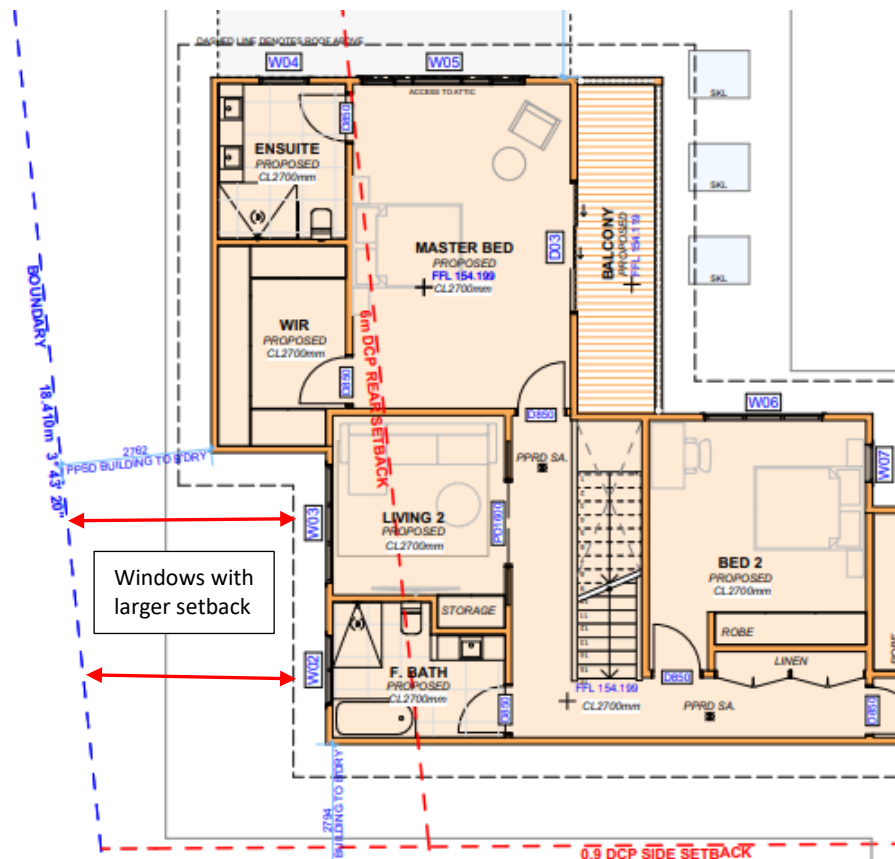


Figure 15. The proposed location of high-set windows W02 and W03 on western elevation

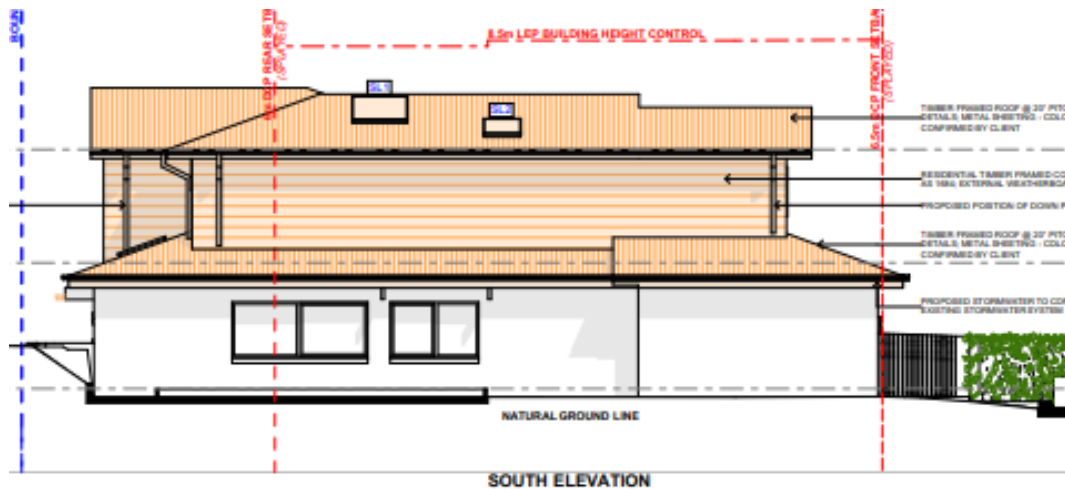


Figure 16. Proposed southern elevation

Part C Siting Factors

Traffic Access and safety

Vehicle access is available from Cadow Street. The existing driveway is retained as illustrated on the attached architectural plans.

Parking

A maximum garage / carport width of 6 metres or 50% of the building width applies to the site. A minimum 2 car parking spaces per dwelling applies to the site.

The existing dwelling has a double enclosed garage which accommodates two car parking spaces.

Stormwater

Rainwater from the dwelling will be detained in an existing rainwater tank (to be relocated to the southern side of the dwelling), for reuse onsite, in accordance with BASIX requirements.

Excavation and Landfill

No earthworks are required to prepare the site for construction.

The attached preliminary assessment of site conditions demonstrates that the proposed works are consistent with the geological stability of the site.

Demolition and Construction

Consent is sought for minor demolition works as part of the proposed alterations and additions. All demolition and construction 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 where possible which is detailed in the accompanying Waste Management Plan.

The existing dwelling provides compliant bin storage areas and waste will be collected by Councils regular service.

Part D Design

Landscaping and Open space and bush land setting

The DCP requires 40% landscaping on the site which is equivalent to 262.4m² for the site area of 656m².

The development proposes a non-compliant landscaped area of 31.87% or 209.13m².

It is considered that the existing large lawn, swimming pool and terrace area provide ample outdoor recreational opportunities for the occupants. There is also adequate space for clothes drying.

A variation to the landscaped area control is considered appropriate, in this case, as the development remains consistent with the objectives of the control, despite the variation, as addressed below:

Objectives of the control:

- *To enable planting to maintain and enhance the streetscape.*

Comment

The proposed development is for an additional storey, with no external building works occurring at ground floor level. Further, the existing landscaped area within the site, including the landscaping on the Cadow Street frontage, will be unaffected by the proposal. Therefore, the existing streetscape of Cadow Street will be retained.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment

Not relevant to the subject site.

- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment

As stated above, no external works are proposed at ground floor level. However, there is sufficient area for the retention and establishment of low lying and medium shrubs and the majority of canopy trees.

- *To enhance privacy between buildings.*

Comment

As outlined above, privacy is maintained between dwellings with only two small high set windows proposed on the western elevation at first floor level. No windows are proposed on the southern elevation. This design feature ensures that privacy and amenity are retained for neighbouring properties.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment

The proposed works do not alter the existing landscaped open space at ground level. The large lawn, swimming pool and terrace area provide ample outdoor recreational opportunities for the occupants.

- *To provide space for service functions, including clothes drying.*

Comment

There is sufficient area to accommodate service functions including clothes drying.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment

Stormwater runoff resulting from the proposed development will be connected to the existing stormwater system and into the street gutter via the existing stormwater connection

Private open space

The DCP requires a minimum private open space area of 60m² (with minimum dimensions of 5 metres).

The development provides an area of private open space well in excess of this requirement within 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 following observations are made of the shadow diagrams included with this application:

9am – The proposed development results in a moderate increase in overshadowing to the rear of the dwelling at 42 Dundilla Road and to a lesser degree to the side and rear of 3 Cadow Street

12pm – The proposed development results in a minor increase in overshadowing to the northern western side of the adjoining dwelling at 3 Cadow Street.

3pm – The proposed development results in a negligible increase in overshadowing at the northern side of the garage at 3 Cadow Street.

It is concluded that the private open space of both the subject site and the adjoining properties maintain compliant solar access between the hours of 9am and 3pm.

Views

A site inspection of the subject site has been undertaken and it is considered that no views will be impacted as a result of the proposed development.

Privacy

As stated above, the proposed development ensures that privacy is maintained between dwellings.

The new windows and window treatments will be constructed to comply with the BCA for class 1a dwellings. These treatments will further enhance privacy.

Building Bulk

The proposed development has been designed to minimise visual impact when viewed from adjoining properties and Cadow Street. The overall impact of the additional storey being a modern, aesthetically pleasing and complimentary addition to the locality.

Building Colours and Materials

The proposed building materials include a timber framed roof with metal sheeting and external weatherboard cladding. The proposed colours and finishes are complementary to the residential surrounds and consistent with a modern finish. Further details are provided in the architectural drawings attached to this development application.

Roofs

The new roof will have a 20° roof pitch to complement the roof pitch and forms of existing buildings in the streetscape.

Glare & Reflection

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

Front Fences and Front Walls / Side and Rear Fences

No changes are proposed to the existing on-site fencing.

Site Facilities

The existing dwelling provides all required site facilities including waste storage areas, mailbox and clothes drying facilities.

Safety and Security

The existing dwelling provides clear boundaries between public and private space. The proposed development will not affect casual surveillance of the street.

Conservation of Energy and Water

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

Part E - The Natural Environment

Preservation of Trees or Bushland Vegetation

The proposed development does not involve the removal of any trees on the site.

Wildlife Corridors

There will be no impact on any valued wildlife as a result of the proposed dwelling.

Native Vegetation

The site is not identified on the DCP Native Vegetation Map.

Retaining unique Environmental Features

No unique environmental features will be impacted by the proposed development.

Waterways and Riparian Lands

There will be no impact on waterways or riparian lands in the locality.

Landslip Risk

The site is located in the area nominated as Area A – Slope <5° and Area B– Flanking slopes 5° to 25°. The attached preliminary assessment of site conditions by White Geotechnical Group demonstrates the proposal complies with Council controls.

6. Numerical Control Table

The following table provides a summary of the development proposal, in accordance with the relevant numerical planning controls contained in the Warringah LEP 2011 and the Warringah DCP 2011.

	Standard	Proposed	Compliance
Warringah LEP 2011			
Lot Size	600m ²	656m ²	Yes – no change
Building Height	8.5 metres	7.168 metres	Yes
Floor Space Ratio	Not identified	-	-
Warringah DCP 2011			
Wall Height	7.2 metres	7.115 metres	Yes
Number of Stories	Not identified	-	-
Side Boundary Envelope	4 metres / 45 degrees		Yes complies
Site Coverage	Not identified	-	-
Side Boundary Setbacks	0.9 metres	<p><u>Ground level</u> - Existing and no change 770mm (south) 3.019m (north)</p> <p><u>Proposed first floor</u> – Min 2.707m (south) 6.3m (north)</p>	<p>Existing non-compliance to south in south-eastern corner to garage. No change.</p> <p>New works comply.</p>
Front Boundary Setback	6.5 metres	6.620 metres	Yes
Rear Boundary Setbacks	6 metres	<p><u>Ground level</u> – Existing and no change 1.863m – 3.588m</p> <p><u>Proposed first floor</u> – Min 2.762 metres to WIR</p>	<p>Existing non-compliance – no change.</p> <p>Compliance with objectives achieved.</p>
Parking	2 spaces	Existing 2 spaces in double garage	Yes – no change
Landscaped Open Space and Bushland Setting	40% of lot area (262.4m ² for site area of 656m ²)	31.87% (209.13m ²)	<p>Existing non-compliance.</p> <p>A 4.27m² decrease to existing.</p> <p>Compliance with objectives achieved.</p>
Private Open Space	60m ²	Existing 107.93m ² and no change	Yes
Solar Access	3 hours sunlight to 50% of POS of both subject site and adjoining properties between 9am and 3pm on June 21.	Compliance achieved	Yes

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 Warringah LEP and DCP.

The development is permissible in the R2 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, appendices and attached specialist reports.

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 development has 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

The proposed development will not impact the public domain.

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

A preliminary assessment of site conditions has been prepared by an expert and is supportive of the proposal subject to recommendations. This report accompanies the development application.

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 appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and is well suited to the 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.

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 alterations and additions to the existing dwelling at 5 Cadow Street, Frenchs Forest 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 fully compliant development is considered worthy of Council's consent.

Planner Declaration

This report was prepared by:

Senior Planner: Susan May-Roberts

Report Version: Final

Document Control Table

Document Purpose:	Statement of Environmental Effects	
Date	Prepared by	Approved by
5/05/2022	Susan May-Roberts Senior Planner	Sarah McNeilly Director

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