

STATEMENT OF ENVIRONMENTAL EFFECTS

39 SEAFORTH CRESCENT, SEAFORTH

PROPOSED DWELLING ALTERATIONS AND ADDITIONS

**PREPARED ON BEHALF OF
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1. INTRODUCTION

This application seeks approval for the construction of dwelling alterations and additions upon land at Lot 11 in DP 1026519 which is known as **No. 39 Seaforth Crescent, 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 Adam Clerke Surveyors Pty Ltd, Ref No. 6321 and dated 20/08/2021.
- Architectural Plans prepared by All Australian Architecture, Drawing No. DA.00 to DA.13, Issue p and dated 23 May 2022.
- BASIX Certificate A457054_04 and dated 23 May 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.

2. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 11 in DP 1026519 which is known as No. 39 Seaforth Crescent, Seaforth. The site is located on the southern side of Seaforth Crescent with an area of 1,307m². The site is irregular in shape with frontage also provided to the foreshore. The locality is depicted in the following map:



Site Location Map

The site has a steep slope from the street frontage (approx. RL39.4) and the rear (RL25.6 at rear of site proper). The property then descends steeply to the water frontage. The property currently comprises a three storey rendered and weatherboard dwelling with metal roof. An attached garage is located on the west of the dwelling. The dwelling is orientated to maximise views of the harbour. A swimming pool is located at the rear of the dwelling on the lower ground floor terrace.

The site is depicted in the following photographs:



View of Subject Site from Street



View of Site from South

The existing surrounding development comprises predominantly large multi level single detached dwellings orientated to the south to maximise water views. 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. The proposed additions will comprise a external clad walls and a flat metal roof.

The proposed additions are summarised below:

Level 1

- Internal alterations to reconfigure kitchen create internal room within the dining/lounge.
- Extend balcony at southwest corner.

Ground Floor Level

- Extend dwelling to the west to provide bedroom with deck.
- Extend existing rear balcony.
- Internal alterations.

Lower Ground Floor Level

- Create outdoor cooking and wet bar within existing covered terrace.
- Internal alterations to suite room reconfiguration.

The proposal incorporates a new internal fireplace with a new flue as indicated on the plans.

The new addition will be constructed of timber weatherboards to match existing.

The proposal will result in the following numerical indices:

Site Area: 1,307m²

**Proposed Total Open Space: 1169.8m² or 89.5%
(as defined)**

Proposed Soft Landscape: 958.6m² or 81.9% of req'd total open space

Proposed FSR: 499.2m² or 0.38:1

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.

5.2 Manly Local Environmental 2013



Extract of Zoning Map

The subject site is zoned C3 Environmental Management. The objectives of the C3 Zone are as follows:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.*
- *To protect tree canopies and provide for low impact residential uses that does not dominate the natural scenic qualities of the foreshore.*
- *To ensure that development does not negatively impact on nearby foreshores, significant geological features and bushland, including loss of natural vegetation.*

- *To encourage revegetation and rehabilitation of the immediate foreshore, where appropriate, and minimise the impact of hard surfaces and associated pollutants in stormwater runoff on the ecological characteristics of the locality, including water quality.*
- *To ensure that the height and bulk of any proposed buildings or structures have regard to existing vegetation, topography and surrounding land uses.*

It is considered that the proposed development achieves these objectives by:

- ❑ Ensuring the proposal compliments the existing streetscape and the existing surrounding properties.
- ❑ Retaining the existing amenity to the surrounding residences.
- ❑ Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.
- ❑ The proposal does not require the removal of any vegetation and retains ample area of landscaping on site.
- ❑ The proposal will not have any detrimental impact on the foreshore.
- ❑ The additions are minor and will not be prominent when viewed from the public domain or the adjoining properties.

Single dwellings and associated structures are a permissible use in the R1 General 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	See Clause 4.6 Variation
Clause 4.4 Floor Space Ratio	0.40:1	0.38:1	Yes

The following clauses also apply:

Clause 4.3A Special Height Provisions

This clause provides:

- (1) *The objective of this clause is to maintain public views to Sydney Harbour from street level on local roads above steeply sloping sites on certain land.*
- (2) *Despite clause 4.3 (2), the height of a building on a lot identified as "Special height provisions" on the Height of Buildings Map must not exceed the height of the highest point of the road adjoining the centre point of the lot boundary that adjoins the road that is the frontage to that lot.*

The survey depicts the road adjoining the centre point of the lot boundary with a level of approximately RL41.44. The additions comply with this clause with the exception of the proposed flue to service the new gas fireplace. A Clause 4.6 Variation has been provided in this regard.

Clause 6.2 Earthworks

The works are contained within the existing footprint and do not require any earthworks.

The proposal complies with this clause.

Clause 6.4 Stormwater Management

All collected stormwater will discharge to the existing stormwater system. The proposal does not increase the existing hard surface area.

Clause 6.5 Terrestrial Biodiversity

The site is not identified on the NSW Biodiversity Values Map however it is identified on Council's Biodiversity Map. The proposed works are located within the existing footprint and do not have any impact on existing vegetation. The proposal complies with this clause.

Clause 6.9 Foreshore Scenic Protection Area

The site is contained within foreshore scenic protection area. However, the site is well setback from the foreshore area/waterway. The works are minor and are within the existing footprint and do not result in any unreasonable bulk or scale.

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)

The proposal provides for additions to an existing dwelling. The additions are located at the rear and are not visible from the street, with the exception of the new flue for the gas fireplace. This will not be prominent and will not detract from the streetscape.

The intended outcomes are noted as:

- i) complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality;*
- ii) ensure the bulk and design of development does not detract from the scenic amenity of the area (see also paragraph 3.4 Amenity) when viewed from surrounding public and private land;*
- iii) maintain building heights at a compatible scale with adjacent development particularly at the street frontage and building alignment, whilst also having regard to the LEP height standard and the controls of this plan concerning wall and roof height and the number of storeys;*
- iv) avoid elevated structures constructed on extended columns that dominate adjoining sites such as elevated open space terraces, pools, driveways and the like. See also paragraph 4.1.8 Development on Sloping Sites and paragraph 4.1.9 Swimming Pools, Spas and Water Features;*
- v) address and compliment the built form and style any heritage property in the vicinity to preserve the integrity of the item and its setting. See also paragraph 3.2 Heritage Considerations;*
- vi) visually improve existing streetscapes through innovative design solutions; and*
- vii) Incorporate building materials and finishes complementing those dominant in the locality. The use of plantation and/or recycled timbers in construction and finishes is encouraged. See also paragraph 3.5.7 Building Construction and Design*

It is considered that the proposal provides for additions to an existing dwelling that are compatible with the existing surrounding streetscape.

The new works will be compatible with the style and form of the surrounding dwellings by providing for additions to an existing dwelling.

Clause 3.1.1.3 Roofs and Dormers

This clause provides:

- a) Roof forms should complement, but not necessarily replicate the predominant form in the locality and in particular those of adjacent buildings.*
- b) Roofs should be designed to avoid or minimise view loss and reflectivity.*
- c) Dormer windows and windows in the roof must be designed and placed to compliment the roof structure and reflect the character of the building. In particular, such windows are not permitted on the street frontage of the building where there is no precedent in the streetscape, especially on adjoining dwellings.*

There is no change to the existing roof form.

Clause 3.3 - Landscaping

The proposal works are generally located within the existing footprint and do not require the removal of any trees or vegetation.

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 proposal provides for additions to an existing dwelling. The additions are located within the existing footprint.
- The additions at ground level provide for a larger bedroom. This element is well setback from all boundaries and surrounding dwellings. The separation and vegetation will ensure that there is no loss of privacy to the adjoining properties.
- The works do not extend beyond the existing roof height and will not result in additional shadows to the adjoining properties.
- The adjoining properties enjoy some outlook to the south of the harbour. The proposed additions will not obstruct these views.

Clause 3.5 - Sustainability

A BASIX Certificate has been prepared to support the new works and confirm that the resultant dwelling will achieve the appropriate thermal performance criteria.

Clause 3.7 - Stormwater Management

It is proposed to connect all collected stormwater to the existing stormwater system. There is no increase in the existing hard surface area.

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 D9 – 1 dwelling per 1150m ²	Yes Site area is 1,307m ² . There is no change to the density.
Floor Space Ratio	Refer to LEP 0.4 :1	Yes
Wall Height	Height – 6.5m	The proposal does not alter the existing wall height.

Clause/ Design Element	DCP Requirement	Compliance/Comments
Number of Storeys	Two Storeys	The proposal does not alter the existing storeys. All works are within the existing footprint.
Roof Height	2.5m above wall height	No change
Parapet Height: 600mm above wall height.	600mm above wall height	Not Applicable
Maximum Roof Pitch	35°	No change
Building Setbacks	<p>Front Setback – Min. 6.0 metres or consistent with neighbouring.</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 Existing front setback retained.</p> <p>The proposal does not reduce existing boundary setbacks. The bedroom is located beneath the existing garage.</p> <p>Not Applicable</p> <p>Yes Works are setback at least 9.139m to the rear boundary.</p>
Landscaping/Open Space	Open Space Area 4:	Yes The proposal provides for the following:

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Minimum total open space: 60% of site area.</p> <p>Minimum soft open space as % of total open space: 40%</p> <p>Minimum number of endemic trees: 1 additional tree required</p> <p>Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m².</p>	<p>Total Open Space: 1169.8m² or 89.5% Soft Open Space: 958.6m² or 81.9% of the 'required' total open space.</p> <p>Yes The proposal does not require the removal of any vegetation. There is ample vegetation on site.</p> <p>Yes The proposal retains the existing private open space.</p>
Parking and Access	<p>Minimum 2 Spaces per Dwelling. Garages/carports shall be sited so as to not dominate the street frontage through the use of appropriate materials. Carports forward of the building line shall be open on all sides. Maximum width of structures forward of the building line is 6.2m or 50% of site width whichever is the greater.</p>	<p>Yes Existing parking to be retained.</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
First Floor Additions	Additions may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues. Must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences	Not Applicable
Fences	Maximum height 1.0m for solid Maximum height 1.5m where at least 30% is transparent.	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 additions to an existing dwelling without detrimentally impacting on the character of the area. The proposal does not result in the removal of any significant vegetation and there is no decrease in pervious area. The design of the proposal is such that they do not result in any unreasonable loss of privacy.

The Suitability of the Site for the Development

The subject site is zoned C3 Environmental Management and the construction alterations/additions to an existing dwelling house in this zone are 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 for additions to an existing dwelling that are consistent 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 alterations to an existing dwelling. 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 of alterations/additions to an existing dwelling upon land at **No. 39 Seaforth Crescent, Seaforth** is worthy of the consent of Council.

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