

Statement of Environmental Effects

Submission to

NORTHERN BEACHES COUNCIL

**ALTERATIONS AND ADDITIONS
TO A DWELLING HOUSE PLUS NEW CARPORT**



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U R B A N P L A N N I N G

4 Eurella Avenue North Balgowlah 2093

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1.0 INTRODUCTION

This document has been prepared in order to provide information and an assessment in respect of a development application (the 'development application') seeking consent for the carrying out of alterations and additions to the existing dwelling house plus construction of a carport (the 'proposed development' or 'proposal') on land known as 4 Eurella Avenue North Balgowlah 2093 (the 'Site').

Consideration has been given to the environmental merit of the proposal having due regard to the following relevantly applicable legislation, statutory planning instruments and subordinate documents (among others):

- *Environmental Planning and Assessment Act 1979 ('EPAA');*
- *Environmental Planning and Assessment Regulation 2021 ('EPAR');*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ('SEPP (BASIX)');*
- *Warringah Local Environmental Plan 2011 ('WLEP');*
- *Warringah Development Control Plan 2011('WDCP').*

In our opinion, the development application succeeds on the merits and pursuant to the relevant legislation and is suitable for a grant of development consent by Council.

2.0 SITE LOCATION AND DESCRIPTION

2.1 Location

The surrounding area consists for the most part of a low-density residential neighbourhood (predominantly characterised by one and two storey dwelling houses) a neighbourhood centre and public open space. The area has been settled and used for residential development for quite a considerable period of time.

The surrounding locality consists of dwellings built atop of sloping land in north Balgowlah. The wider locality consists of woolgoola Reserve and North Balgowlah Public School. The locality is supported by a local bus network.

2.2 The Site

The Site is legally described as Lot 89 in Deposited Plan 13871 and has an area of 482.07 sqm.

The Site is located on the eastern side of Eurella Avenue and north of Woodbine Street. Eurella Avenue is a low-density residential locality with access to public open space and is approximately 180m walking distance from the neighbourhood shops.

The Site sits on the high side of the street, with an obscure rectangular shaped lot. Parking is provided on Site.

3.0 DEVELOPMENT PROPOSAL

The proposed development involves the carrying out of alterations and additions to the existing dwelling house plus the construction of a carport. Specifically, the works involve the following:

- Associated demolition works with the existing garage and first floor extension
- An extension of a new ground floor living space with a kitchen, dining and living space
- An outdoor alfresco living space
- Privacy screening measures associated with the ground floor extension
- New carport at the front of the Site
- New driveway and associated driveway crossing
- New driveway gate

This application is supported by the following documentation:

- Master architectural set
- Boundary ID survey
- Statement of environmental effects
- BASIX Certificate
- Waste management plan
- Sediment control plan

For additional information relating to the proposal please refer to the submitted architectural plans.

3.1 Consultation with Northern Beaches Council

On the 1 November 2021, the Applicant undertook a pre-DA meeting with Northern Beaches Council (PLM2021/0223). The pre-DA advice, identified the following key issues for the Applicant to address:

- Location of the Proposed Carport

In consideration of Councils advice, the Applicant has amended the design to address the key issues with the carport. Specifically, providing a 900mm setback from the side boundary and proposing a size appropriate to accommodate 2 vehicles which complies with the relevant standard.

4.0 STATUTORY PLANNING FRAMEWORK

4.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

As the proposal triggers the requirements of SEPP BASIX, A BASIX certificate is required to be submitted for the DA. A BASIX certificate less than 3 months old accompanies this application. For further information please refer to the architectural plans.

4.2 Warringah Local Environment Plan 2014

4.2.1 General

Warringah Local Environmental Plan 2011 (WLEP), being the relevantly applicable environmental planning instrument.

4.2.2 Aims

WLEP aims to make local environmental planning provisions for land within the former local government area of Warringah (and now part of the Northern Beaches local government area) in accordance with the relevant standard environmental planning instrument made under the EPAA.

4.2.3 Zoning and Permissibility

The site is zoned R2 Low Density Residential under WLEP.

'Dwelling house' is the relevantly applicable purpose. Development for the purpose of a dwelling house is permissible with consent on land within the R2 zone.

The proposal involves the carrying out of certain proposed alterations and additions to the existing dwelling house.

The purpose of the proposed development is a 'dwelling house' which is permissible with consent in the zone.

In our view the proposal is permissible with development consent and is worthy of support from the consent authority.

4.2.4 Zone Objectives

The R2 zone objectives under WLEP are as follows:

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterized by landscaped settings that are in harmony with the natural environment of Warringah.*

In our opinion, the proposed development is consistent with such of the zone objectives as are of relevance to the proposed development.

The development will provide for the housing needs of the occupants of the existing dwelling house within an existing low density residential environment in a manner that will ensure that the existing low density residential environment continues to be characterized by landscaped settings that are in harmony with the natural environment.

Additionally, the proposed first floor extension and ancillary works will assist the residences in meeting their housing needs within a low-density

environment without unreasonably increasing the bulk and scale of the dwelling.

In our view the application is worthy of support.

4.2.5 Height of Buildings

Clause 4.3 of WLEP ('Height of buildings') is a principal development standard of WLEP.

The objectives of clause 4.3 are as follows (refer clause 4.3(1)):

- (a) to ensure buildings are compatible with the height and scale of surrounding and nearby development,*
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*
- (c) to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,*
- (d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads, and community facilities,*

By virtue of WLEP Height of Buildings Map the maximum permissible height of a building on the site is 8.5 metres.

The height of the proposed additions to the existing dwelling house does not exceed 8.5 metres. The proposal does not change the total height of building of 8.05 metres which complies with the control.

The proposed extension and carport does not unreasonably impact any view loss, privacy or create unreasonable overshadowing on adjoining neighbours.

The proposed additional bulk does not impact the character of the area or create unnecessary visual impacts, whilst ensuring the natural environment that characterises the area is maintained.

The proposed development is consistent with the objectives of the height of buildings development standard.

Please refer also to the architectural drawings accompanying the development application for more specific detail.

4.2.6 Landslip Risk Land

The site is identified as 'Area A Slope <5 on the Landslip Risk Map, as such Clause 6.4 of WLEP applies.

The objectives of this clause are as follows (refer clause 6.4(1)):

- (a) to avoid significant adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land,*
- (b) to ensure the impacts of storm water runoff from development on or near sloping land are minimised so as to not*

adversely affect the stability of the subject and surrounding land,

(c)to ensure subsurface flows are not adversely affected by development so as to not impact on the stability of existing or adjoining land.

The proposal does not involve excavation on the Site. No geotechnical assessment has been provided with this application.

The proposal will not unreasonably impact on adjoining properties or will create unacceptable stormwater runoff issues. A sediment control plan is also provided in the plan set.

In our view the proposal is consistent with the objectives of the control. For further information please refer to the architectural drawings.

4.3 WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP)

4.3.1 Objectives

Warringah Development Control Plan 2011 (WDCP) applies to development on the site.

By virtue of Part A.5 of WDCP, the overarching objective of WDCP is to create and maintain a high level of environmental quality throughout the former local government area of Warringah. Development should result in an increased level of local amenity and support environmental sustainability development.

The objectives of WDCP are as follows (refer Part A.5 of WDCP):

- *To ensure development responds to the characteristics of the site and the qualities of the surrounding neighborhood*
- *To ensure new development is a good neighbor, creates a unified landscape, contributes to the street, reinforces the importance of pedestrian areas, and creates an attractive design outcome*
- *To inspire design innovation for residential, commercial, and industrial development*
- *To provide a high level of access to and within development.*
- *To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained*
- *To achieve environmentally, economically, and socially sustainable development for the community of Warringah.*

The controls contained in WDCP, to the extent to which they are relevantly applicable to the proposed development, will now be considered and discussed.

4.3.2 Aboriginal Heritage

The Site has not been identified as a potential Aboriginal place or as containing an Aboriginal object. As such, the proposed development will not have any significant impact on the conservation of any known Aboriginal places or objects.

4.3.3 Stormwater Management

The alterations and additions to the existing dwelling do not propose to alter the existing stormwater management system in any way. The proposed works will connect to the existing stormwater management system. The Site benefits from recently having a stormwater management system installed under the rear private open space as a part of NOC2021/0979, which was a CDC application for a swimming pool and pergola. Images of the stormwater system are provided below.



The current stormwater management system is adequate and will continue to effectively service the dwelling and the ground floor extension.

For further information please refer to the architectural plans. In our view the application is worthy of support. The Applicant will accept any reasonable consent condition in respects of stormwater.

4.3.4 Erosion and Sediment Management

Appropriate erosion and sedimentation management measures are proposed to ensure that there is low impact in terms of runoff. A sediment control plan is provided with the application.

4.3.5 Waste Minimisation

Waste generation as a result of construction works will be minimised and disposed of at an appropriate waste facility. Additionally, waste will be recycled and re-used on site to the maximum extent possible.

Please refer to the waste management plan for further information.

4.3.6 Site Fencing and Security

Appropriate site protection will be undertaken during the construction stage of the development, so as to ensure public safety and the protection of the public domain.

4.3.7 Traffic, Access, and Safety

Control C2 Traffic, Access and Safety applies to the proposal. Under Appendix 1 Car Parking Requirements of the WDCP 2011 dwelling houses require 2 car parking spaces. The proposal complies with this requirement as a double car carport is proposed.

The proposed vehicle crossing is consistent with Council's Vehicle Crossing Policy. Details relating to the vehicle crossing have been provided in the master plan set. The Applicant would accept a condition of consent requiring plans be submitted prior to the issuing of a construction certificate.

4.3.8 Landscaped Area

Control D1 of WDCP requires the total landscaped area on land zoned R2 Low Density Residential to be 40% of the Site area. The proposed alterations and additions to the existing dwelling house will result in a soft landscaped area of 43.4% (209.3m²). Which complies with the control.

In our view the application achieves the objectives of the control. The Applicant would submit to a reasonable worded condition of consent in respect of landscaping.

4.3.9 View Sharing

Control D7 of the WDCP applies to the subject site. The objectives of control D7 are as follows:

- *To allow for the reasonable sharing of views.*

- *To encourage innovative design solutions to improve the urban environment.*
- *To ensure existing canopy trees have priority over views.*

The proposed alterations and additions do not increase the height of the dwelling. The proposed works are at ground level which do not interrupt view lines. The works provide for appropriate setbacks which allows for reasonable levels of view sharing for the surrounding neighbours. The proposed alterations will not block or interrupt any icon view elements.

In our view the proposal complies with the control. For further information please refer to the master plan set.

4.3.10 Acoustic and Visual Privacy

Control D8 of the WDCP applies to the proposal. The objectives of the control are;

- *To ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.*
- *To encourage innovative design solutions to improve the urban environment.*
- *To provide personal and property security for occupants and visitors.*

The works proposed are consistent with the control as the rear extension incorporates privacy screening on the north elevation to ensure the adjoining neighbour's privacy is protected.

The ground floor extension incorporates a 900mm setback which further minimises amenity impacts.

The proposed alterations and additions have been designed as such to ensure that both visual and aural privacy is maintained for both the occupants of the Site and surrounding neighbours.

In our view the proposal maintains visual and aural privacy.

4.3.11 Solar Access

The private open space of the dwelling will receive adequate solar access during the winter solstice. The neighbouring properties receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 (refer Part D6 of WDCP).

The ground floor extension does not create an unreasonable overshadowing impact to the southern neighbour at 2 Eureka Avenue. The solar access afforded to this dwelling remains largely unchanged.

In light of the proposed alterations and additions, the proposal solar access and overshadowing caused by the proposal will comply with the control. Shadow diagrams accompanying the development application demonstrate that any additional shadowing consequence of the development will have only minor impact on neighbouring properties.

Please refer to the shadow diagrams accompanying the development application for further details.

In our view the proposal achieves the objectives of the control.

4.3.12 Roofs and Eaves

The proposed extension of the dwelling house is consistent with the existing roof line, complementing the roof pitch and forms of the streetscape.

The rear extension incorporates a roof with a sloping pitch of 6°. The proposed carport proposes a roof form with a 24° pitch. The proposed roof forms appear consistent with the surrounding streetscape.

Additionally, the roof form provides for appropriately sized eaves which are consistent with the control.

Please refer to the architectural plans and elevations accompanying the development application.

4.3.13 Glare and Reflection

The proposed alterations and additions to the dwelling house incorporate appropriate materials into the design to minimise glare and reflection, in compliance with the controls contained in Part D11 of WDCP.

4.3.14 Private Open Space

Control D2 Private Open Space of the WDCP applies to the subject site. The objectives of the control state;

- *To ensure that all residential development is provided with functional, well located areas of private open space.*
- *To ensure that private open space is integrated with, and directly accessible from, the living area of dwellings.*
- *To minimise any adverse impact of private open space on adjoining buildings and their associated private open spaces.*
- *To ensure that private open space receives sufficient solar access and privacy.*

The proposal involves alterations and additions to the existing dwelling. The works involved provide an extension to the first floor at the rear of the dwelling. The control requires that 60m² of private open space be provided for dwellings with more than 3 bedrooms. The proposal involves 135m² of private open space at the rear of the property which complies with the control.

The proposal has been designed keeping in mind of surrounding dwellings in close proximity to the open space. Privacy & overlooking impacts are minimised as privacy screening is proposed on the rear extension.

The scheme ensures that the private open spaces will have direct access from the main living spaces of the existing dwelling and allows for

adequate solar access, whilst minimises solar impact on surrounding dwellings. The proposal complies with the objectives of the control. Please refer to the plans accompanying the development application.

4.3.15 Setbacks and Building Line

Part B7 of WDCP provides for a minimum front building line of 6.5m or the established building line, whichever is the greater. The proposal provides for a front setback of 1.132m. This results in a numerical non-compliance with the control. For the following reasons our view is the non-compliance is acceptable on the merit:

- The carport structure is open which allows for permeability and passive surveillance
- The bulk and scale of the carport does not disrupt view lines
- The previous carport and garage were located on the southern boundary, moving the carport to the front setback provides a better planning outcome as it demolishes the existing carport and garage which has a zero-lot setback
- The non-compliance does not unreasonably impact adjoining neighbours or impede on the streetscape characteristic's
- A compliant side setback of 900mm is provided
- The carport provides 2 carparking spaces ensuring the dwelling complies with the WDCP 2011 parking requirements

Part B5 of WDCP provides for a minimum side building line setback of 0.9m width which the proposed carport complies with the control.

The proposed rear extension provides a compliant side setback on the north and southern side of the structure. The northern setback provides a 983mm and the southern setback provides 900mm.

Part B9 of WDCP provides for a minimum rear setback of 6m. The proposed development complies with the control as the dwellings rear setback is 12.91m.

4.3.16 Building Envelope

Part B3 of WDCP seeks to ensure that new development responds to, reinforces, and relates to the spatial characteristics of the existing natural environment with respect to streetscape, bulk, scale and form, and existing vegetation. The objectives of Part B3 are as follows:

To ensure that development does not become visually dominant by virtue of its height and bulk.

To ensure adequate light, solar access, and privacy by providing spatial separation between buildings.

To ensure that development responds to the topography of the site.

The proposed front carport complies with the control however the rear extension does not. The rear extension has a minor non-compliance with

the envelope control on the northern boundary. The non-compliance is acceptable on the merit as:

- The existing dwelling does not comply
- The proposed extension does not unreasonably impact bulk and scale
- The garage and carport on the southern boundary are proposed to be demolished which reduces bulk and scale impacts
- The works do not unreasonably disrupt view lines
- The works does not overshadow the northern neighbour.

In our opinion, the proposed development remains consistent with the desired outcomes of this control despite the minor breach to the building envelope control.

- The proposal predominantly follows the natural landscape and has minimal excavation, only associated with the proposed pool.

4.3.17 Building Bulk

It is considered that the building height and scale effectively respond to the conditions and typography of the site, while associated building articulation, colours, materials, treatment, and landscaping works are designed so as to reduce the visual bulk of the dwelling.

Please refer to architectural plans accompanying the development application, the elevation plans and concept drawings in particular, for further detail.

4.3.18 Building Facades

There are no service pipes external to the proposed building facades which are visible to any public places (refer Part D21 of WDCP).

Elevation plans of the proposed development accompany the development application.

4.3.19 Colours and Materials

A colours and materials scheme accompanies the development application.

The proposed colours and materials are sympathetic to the surrounding natural and built environment and are furthermore consistent with Part D10 of WDCP.

4.3.20 Conservation of Energy and Water

The proposal incorporates natural ventilation and daylight to its advantage, while ensuring the design allows the minimisation and conservation as regards energy and water use.

Further, the proposal is consistent with Council's Water Management Policy.

4.3.21 Site Facilities

In accordance with Part D4 of WDCP, the proposal incorporates appropriate garbage and recycling enclosures, mailbox and clothes drying facilities.

4.3.22 Safety and Security

The building is designed to allow casual surveillance of the street as far as is possible given the sloping nature of the site. Appropriate access and lighting to the entrance of the house is considered in the design of the dwelling. As such, the proposal is consistent with Part D20 of WDCP.

5.0 CONCLUSION

This document addresses the statutory planning regime applicable to the development application and demonstrates that the proposed development involving the carrying out of alterations and additions to the existing dwelling house on the site is permissible, generally compliant with the relevantly applicable development standards and other planning controls, generally consistent with the relevant guideline controls contained in WDCP, and appropriate in all the circumstances.

The heads of consideration contained in section 4.15 of the EPAA have been examined and considered to the extent to which they are relevantly applicable to the proposed development and, in our opinion, there are no matters which would prevent Council from granting consent to the proposed development subject to any appropriate and reasonable conditions of consent.

In our opinion, the development proposal merits support from the consent authority and a grant of conditional development consent.

Should you require to discuss the contents of this document please contact the undersigned.

Kind Regards

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