

Statement of Environmental Effects

DA Alterations and Additions to Semi-Detached Dwelling

166 Pittwater Road

Manly, NSW

EVOLUTION PLANNING



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Dwelling

166 Pittwater Road

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Prepared for:

B & C Laws

March 2023

REPORT PREPARED BY EVOLUTION PLANNING:

Author

Tony Robb
BA(Hons) UPS, Dip.TP. (Westminster) RPIA
Principal



Evolution Planning Pty Limited
PO Box 309
Frenchs Forest NSW 1640

m: 0430007725
e: tony@evolutionplanning.com.au

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1 Introduction

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) for alterations and additions to a semi-detached dwelling at 166 Pittwater Road, Manly, specifically a first floor rear addition and internal alterations.

This version of the SEE has been revised from the originally submitted document to address Section 2.120 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

The proposed development does not constitute *designated development* or *integrated development*.

This DA is made in accordance with Section 4.12 of the Environmental Planning and Assessment Act 1979 (the Act) and is assessed within this SEE pursuant to Section 4.15 of the Act.

This DA has been prepared with the assistance of a number of specialists who have informed design development and this assessment. The project team includes:

ViewThru Architects	Project management; Architecture; Shadow Diagrams, BASIX, Waste Management Plan, Sediment Control
Evolution Planning	Town Planning.
David Scobie Architects	Heritage
SurvPlan	Land Survey
Moises Lopez	Cost Report

Reports and other related material prepared by these specialists accompany the DA and are referred to throughout this SEE.

2 Site

The site, 166 Pittwater Road, Manly, is located on the eastern side of Pittwater Road within the Northern Beaches LGA (formerly Manly Council) and has an area of 244.5sq.m. It is legally described as Lot 107 in DP1176623 and is trapezium in shape with a diagonal frontage to Pittwater Road of 7.91m. It has a northern side boundary length of 33.26m, a southern side boundary length of 31.06m and a rear boundary length of 7.615m. The site is generally level with a very minor fall towards Pittwater Road.

The site is the subject of easements for services and support, (as shown on the Survey Plan, prepared by Survplan), which will be unaffected by the proposed works.

Refer to the site location plan and aerial context and site plans below.

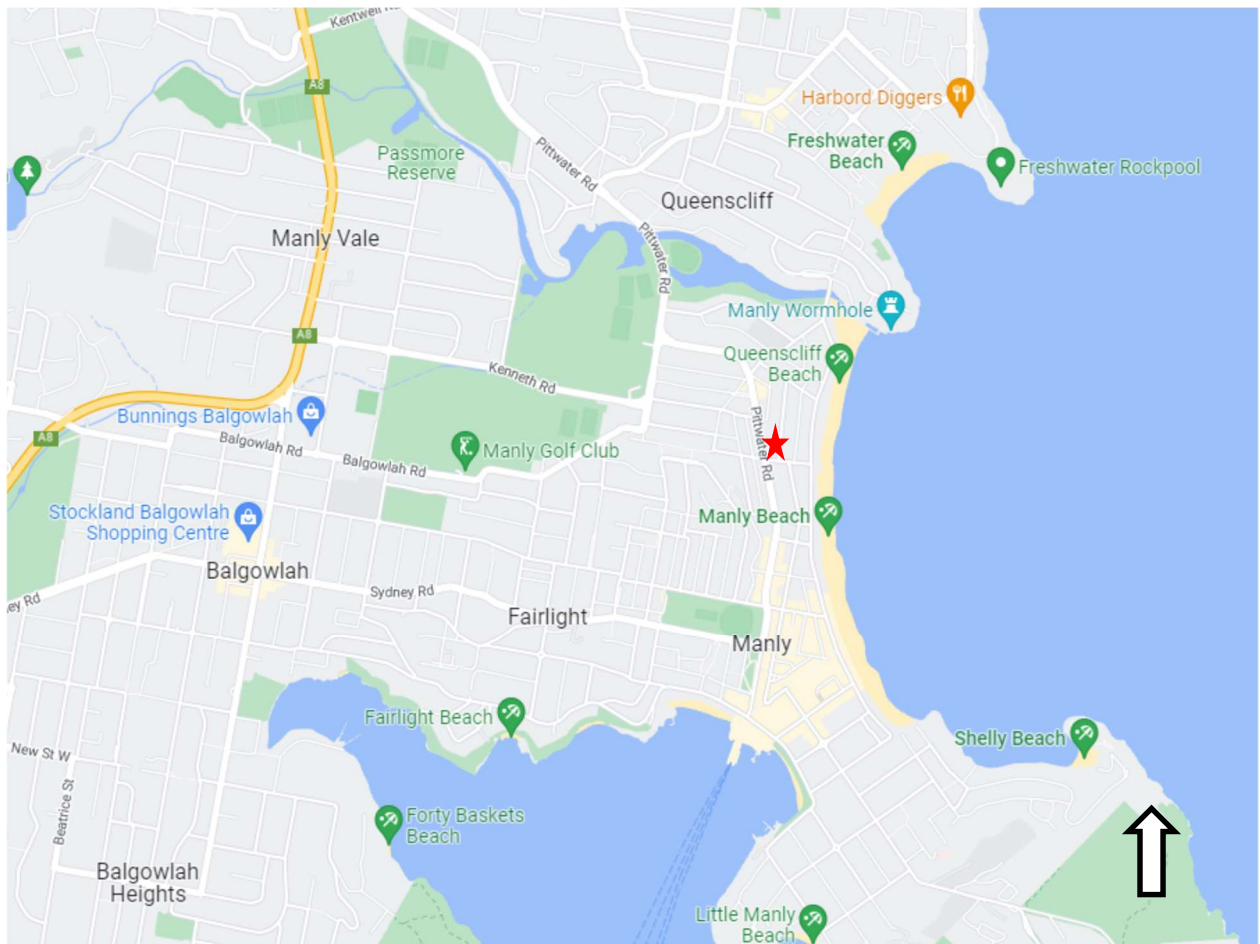


Figure 1: Site Location Plan

SOURCE: GOOGLE MAPS



Figure 2: Aerial Context Plan

SOURCE: SIX MAPS

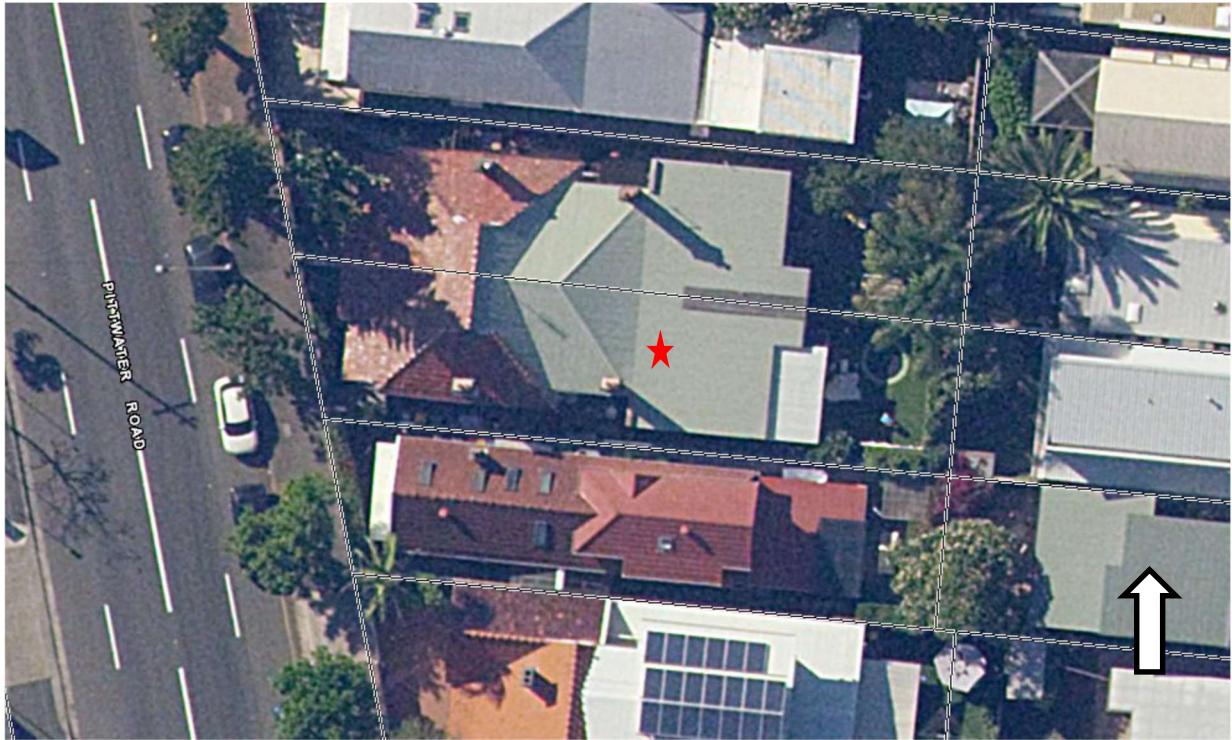


Figure 3: Aerial Site Plan

SOURCE: SIX MAPS

The site presently accommodates one side of a pair of semi-detached dwellings of single storey form with private open space, including a plunge pool at the rear. No vehicular access is available to the site. There is no significant vegetation present on the site.

Pittwater Road is the main throughfare carrying vehicles from the northern suburbs of the Northern Beaches to Manly Town Centre. The side of the street on which the site is located is characterised by low density attached and detached dwellings of one and two storeys. Opposite the site lies a strip of land zoned as a Neighbourhood Centre. Directly opposite the site lies a commercial car wash. The land to the immediate east of the site comprises attached and detached dwellings of one and two storeys with higher intensity residential development, such as residential apartment development, further to the east towards the beach.

Refer to the photographs of the site and surrounds below.



Figure 4: Front elevation from opposite side of Pittwater Road



Figure 5: Dwellings with first floor additions at rear of site



Figure 6: Rear of dwellings with first floor additions to south as viewed from the rear of the site



Figure 7: Street view of 170 Pittwater Road showing rear first floor addition



Figure 8: Non-residential development opposite site

The site is not identified as being on bushfire prone land nor is it flood affected, prone to landslip of any particular biodiversity value.

As discussed further in this SEE, it is identified as having a scenic protection affectation; and is located within the Pittwater Road Conservation Area.

3 Proposal

The proposed development involves a first-floor addition at the rear of the semi-detached dwelling and alterations within the central and rear ground floor areas to create new bathroom and laundry facilities and an open plan living, dining and kitchen area.

As shown below in the extract of the accompanying photomontage, the proposed development sits comfortably in the streetscape and is of a scale which is sympathetic to the built form character of the locality.



Figure 9: Extract proposed streetscape perspective



Figure 10: Extract proposed rear perspective

Development consent is sought as follows:

Preparatory Works

- Demolition:
 - Internal walls with rear portion of dwelling;
 - Fireplaces within existing living room and bedroom;
 - Windows at rear of north elevation;
 - Wall facing deck.

Ground Floor

- Adaptively re-use centrally located living room to a bathroom and a laundry;
- Adaptively re-use rear part of the ground floor (presently containing a bedroom, dining room, study, kitchen and bathroom) as an open plan dining, ;living and kitchen area;
- New internal stair.

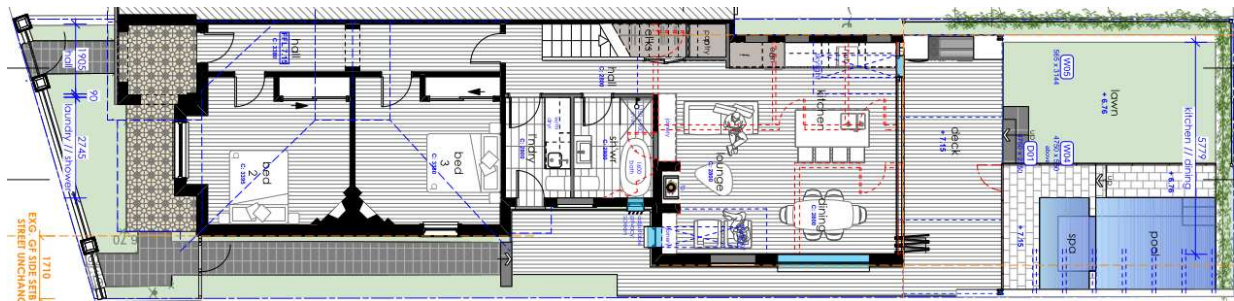


Figure 11: Extract proposed ground floor

First Floor

- First-floor rear addition to include:
 - Master bedroom;
 - Bathroom; and
 - Home office;
 - Storage space.

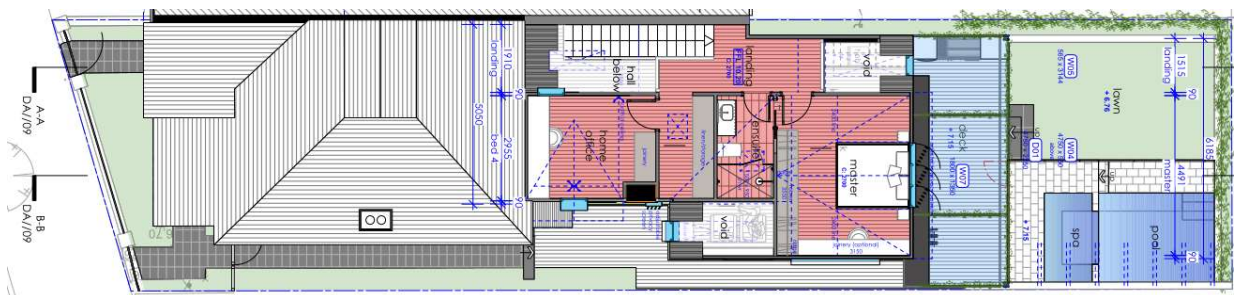


Figure 12: Extract proposed first-floor plan

Roof Addition

- Pitched roof with twin gables on the southern side and a single gable on the northern side;
- Five skylights

Materials

The addition to the building will comprise contemporary materials contrasting with the original dwelling. The external walls will comprise timber cladding painted in a 'Basalt' colour or similar; the roof will be metal roof sheeting in a 'Basalt' colour or similar and the windows will be powder coated aluminium. Refer to the southern perspective below.



Figure 13: Extract southern elevated perspective showing proposed materials

Stormwater

No changes are proposed. Stormwater will continue to be collected and discharged by gravity towards Pittwater Road to the existing Council stormwater system.

Refer to the accompanying drawings prepared by ViewThru Architects providing details of the scope of works for which consent is sought.

4 Statutory Assessment

4.1 Environmental Planning and Assessment Act 1979

The proposed development does not constitute *designated development* or *integrated development*.

This DA is made in accordance with Section 4.12 of the Environmental Planning and Assessment Act 1979 (the Act) and is assessed within this SEE pursuant to Section 4.15 of the Act.

4.2 Relevant Environmental Planning Instruments and Planning Policies

The following Environmental Planning Instruments and Planning Policies have been considered as part of this assessment:

- *Manly Local Environmental Plan 2013*;
- *State Environmental Planning Policy (Resilience and Hazards) 2021*;
 - *Chapter 2 - Coastal Management*;
 - *Chapter 4 - Remediation of Land*;
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*;
- *Manly Development Control Plan 2013*.

4.2.1 Manly Local Environmental Plan 2013

4.2.1.1 Permissibility and Zone Objectives

The principal environmental planning instrument affecting the land is Manly LEP 2013, under which the land is zoned R3 Medium Density Residential. Refer to the zoning extract below.

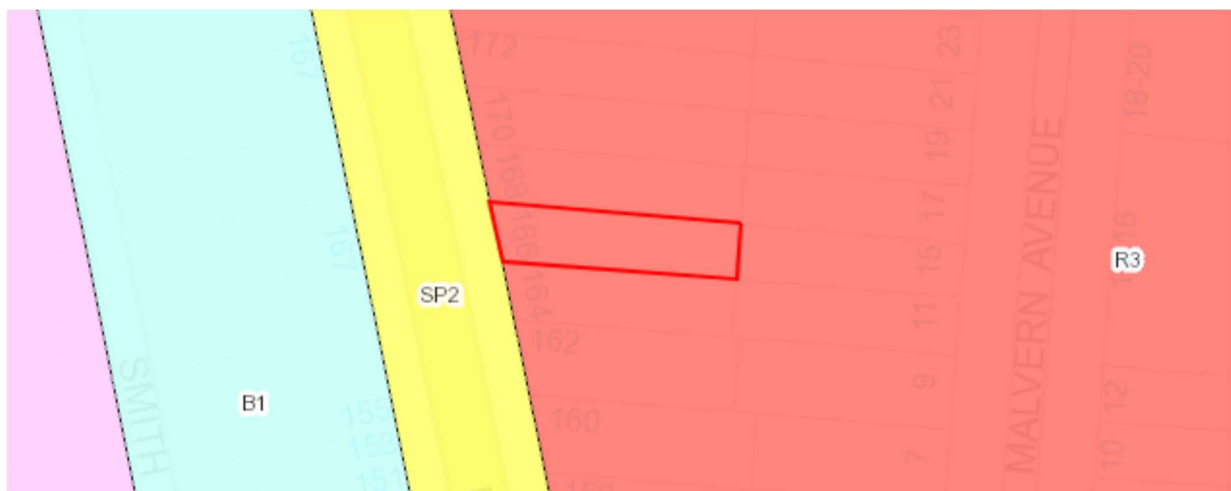


Figure 14: Zoning Extract

The proposed development is permitted with consent.

The objectives of the R3 zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage the revitalisation of residential areas by rehabilitation and suitable redevelopment.*
- *To encourage the provision and retention of tourist accommodation that enhances the role of Manly as an international tourist destination*

The proposed development is consistent with the related zone objectives since it provides for the housing needs of the family residing there and it contributes to the variety of housing available in the zone.

4.2.1.2 Height

A development standard related to building height of 8.5m applies to the land.

The proposed development has a maximum height of 6.59m and complies with the standard.

4.2.1.3 FSR

A development standard related to FSR of 0.6:1 applies to the land.

The proposed development has an FSR of 0.6:1 and complies with the standard.

4.2.1.4 Heritage

The site is located in the Pittwater Road Conservation Area and the services of David Scoobie Architects Pty Ltd were sought to assist with design development and the preparation of a Heritage Impact Statement which accompanies the DA.

As a result of input from the heritage specialist during design development, the proposed design has been revised to alter the proposed roof form and to retain the chimney, which was previously proposed for removal, as well as some other revisions. The accompanying HIS concludes:

“The proposed works, as revised in the November 2022 proposal drawings, to the existing semi-detached dwelling at 166 Pittwater Road will have an acceptable impact upon the heritage significance of the immediate setting and streetscape of the Heritage Conservation Area. The proposed revisions with the new elements are sympathetic with the character of the federation period of the subject building and meet the guidelines within the relevant DCP.”

4.2.1.5 Acid Sulphate Soils

The site is identified as Class “4”. Consent in this respect and a preliminary assessment is required where: *“Works more than 2 metres below the natural ground surface. Works by which the water table is likely to be lowered more than 2 metres below the natural ground surface.”*

No works are proposed more than 2m below existing ground level and no further investigation is required in this respect.

4.2.1.6 Earthworks and Landslip Risk

The site is not identified as constituting a potential landslip hazard. No groundworks are proposed.

4.2.1.7 Foreshore Scenic Protection Area.

The related considerations under the LEP are addressed as follows:

- (a) *impacts that are of detriment to the visual amenity of harbour or coastal foreshore, including overshadowing of the foreshore and any loss of views from a public place to the foreshore,*

Comment: There is no visual connection between the foreshore and the site/proposed building. The proposed development will not create any overshadowing to the foreshore area nor will it impede any public views to the foreshore.

- (b) *measures to protect and improve scenic qualities of the coastline,*

Comment: The proposed development will not be visible from the coastline.

- (c) *suitability of development given its type, location and design and its relationship with and impact on the foreshore,*

Comment: The proposed development is considered to be entirely suited to the foreshore scenic protection area by limiting the height of the addition so as not to exceed the existing roof ridge; minimising the massing of the addition so that it is barely visible from the street; and, by retaining the original chimney stack at the rear of the building.

- (d) *measures to reduce the potential for conflict between land-based and water-based coastal activities*

Comment: There is no risk for conflict between land-based and water-based activities.

The proposed development is considered to satisfy the related provisions of Manly LEP 2013.

4.2.2 State Environmental Planning Policy (Resilience and Hazards) 2021

4.2.2.1 Chapter 2 – Coastal Management

The site is located within a Coastal Environment Area under Chapter 2 of this SEPP. It is not zoned or identified as having any particular environmental significance under this SEPP. The proposed development is considered to satisfy the related provisions at Section 2.10 of the SEPP for the following reasons:

- The proposal will not introduce any significant adverse biophysical, hydrological, or ecological impacts on the environment;
- The coastal environmental values and processes will be unaffected by the proposal;
- No adverse water quality issues are anticipated as a result of the proposed works;
- Marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms will not be affected as a result of the proposed development;
- the proposal will not impede safe access to any areas of public open space of the foreshore area;
- The proposal will have no impact on areas of aboriginal cultural heritage or the surf zone

4.2.2.2 Chapter 4 - Remediation of Land

The subject site has historically been used for residential purposes and has not been known to have hosted any potentially contaminating activities nor has it been declared a significantly contaminated site.

No change of use or groundworks are proposed, and it is therefore considered that consent may be granted in accordance with Clause 4.6 of the SEPP.

4.2.3 State Environmental Planning Policy (Transport and Infrastructure) 2021

An Acoustic and Vibration Assessment may be required in accordance with s.2.120 of this SEPP under certain circumstances.

S.2.120 states:

2.120 Impact of road noise or vibration on non-road development

*(1) This section applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of TfNSW) **and that the consent authority considers is likely to be adversely affected by road noise or vibration***

[emphasis added]

Pittwater Road is a classified road and has median daily traffic movements in excess of 20,000 vehicles.

However, the key word in this clause, as to its application, is the word '**and**'.

The application of Section 2.120 is not mandatory and Council has discretion as to the application of this provision. It need only be applied where Council forms the view that the development **"is likely to be adversely affected by road noise or vibration"**

In this case, the proposed work is located at the rear of the building where there are no new openings facing the street and no new work is proposed at the front of the building.


In such circumstances Section 2.120 of the SEPP need not be applied.

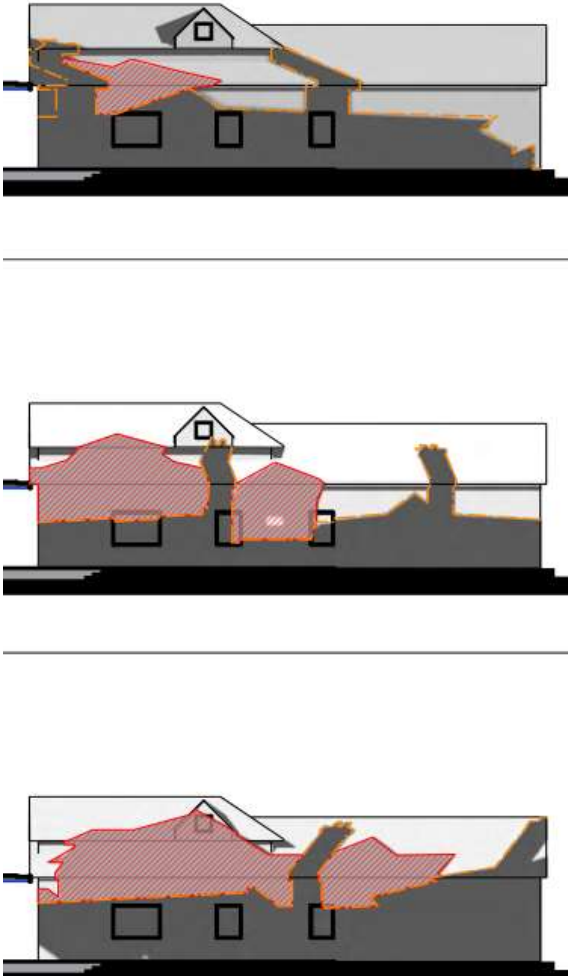
4.2.4 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004


The DA is accompanied by a BASIX certificate in accordance with the Regulation.

4.2.5 Manly Development Control Plan 2013

The related guidelines under Manly DCP 2013 are addressed below:

DCP	Proposal	Compliance
<u>Part 3</u>		
Streetscapes and Townscapes	<p>The proposed development is considered to be consistent with the relevant streetscape principles for the following reasons:</p> <ul style="list-style-type: none"> The front portion of the building and fencing remains unchanged; The proposed rear addition is not visually dominant and is only visible from the street via a limited view slot. Refer to the street perspective below;  <p>Figure 15: Street perspective</p> <ul style="list-style-type: none"> The proposal is not inconsistent with more recent development in the locality where additions have been provided at the rear of buildings within the Conservation Area; The proposed roof forms are consistent with the existent roof; The height of the addition does not exceed the height of the front portion of the building; The choice of materials is considered to be an appropriate response to differentiate the addition from the original part of the building whilst using colours which will complement the visual character of the area; No changes are proposed to setbacks. Potential amenity related impacts are discussed below. 	✓
Landscaping Design	No change is proposed to the building footprint or site landscaping.	✓
Views	No significant views to or from private or public spaces will be unreasonably obstructed by the proposed development.	✓

<p>Solar Access / Overshadowing</p>	<p>The DA is accompanied by shadow diagrams prepared in plan and elevation in terms of shadowing to the property directly to the south of the site. Refer to the extract from the elevational shadow diagrams below.</p>  <p>Figure 16: Extract elevational shadow diagram north side of 164 Pittwater Road – Midwinter – 3pm, Noon, 9am from top to bottom.</p> <p>The proposed development does not create any significant additional overshadowing to windows to the property to the south than would be introduced by an entirely compliant building. The most significant impact is upon a small window to an attic room at 9am. The shadow to the attic room will pass by approximately 10m and it will have full solar access for the rest of the day and thereby comply with the DCP, (although it should be noted the attic window is not one serving a principal living area).</p> <p>In terms of any additional shadow impacts introduced by the minor non-compliances with the wall height and side setback guidelines, it is our opinion that a strictly numeric compliant design would have a similar degree of overshadowing.</p>	<p>✓</p>
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	No additional shadow is cast on neighbouring open space.	
Privacy	<p>There are two windows proposed at the first-floor level serving habitable rooms.</p> <p>The south facing window serving the home office is setback 2.5m from the side boundary and does not have the potential to overlook any neighbouring windows or open space areas. The other elevated window serves the master bedroom and faces towards the rear. No significant privacy related impacts are anticipated from this room given that the window is centrally located, (setback from each side boundary by 3.5m and 2.25m) and is treated with 3 x angled louvre panels. Refer to Figure 10 above.</p>	✓
<u>Part 4</u>		
Density and Dwelling Size	On the basis of the proposed development containing 3 bedrooms and 2 bathrooms, the minimum area guideline is 95sq.m. The proposed dwelling has a minimum area of 147sq.m.	✓
Wall Height 6.5m	<p>6.59m measured at the southern side elevation including the side ground floor wall, side first floor wall and incorporated roof gable on the same plane. Refer to Figure 17 below.</p>  <p>Figure 17: Extract south elevation (wall height)</p> <p>The minor variation to this guideline is considered to be acceptable given the proposed development is consistent with the objectives of the height standard under the LEP, (being of satisfactory bulk and not introducing any unreasonable adverse overshadowing impacts, as discussed above), and satisfies the guidelines under this Part related to First Floor and Roof Additions as discussed below.</p>	✓
No. of storeys -2	2	✓
<u>Setbacks</u>		
Front – Prevailing/6m	No change	✓
Side – 1/3 rd wall height	No change at ground level.	✓

	<p>The first-floor level follows the same setback as the ground floor below but does not numerically comply with the side setback guideline of 1/3rd wall height.</p> <p>The relevant objectives of the guideline are discussed below:</p> <p><i>1) To maintain and enhance the existing streetscape including the desired spatial proportions of the street, the street edge and the landscape character of the street.</i></p> <p>The proposed development is consistent with other dwellings in the vicinity of the site where rear first floor additions have occurred in terms of its relationship with the streetscape and the spatial relationship between buildings where side setbacks are limited.</p> <p><i>2) To ensure and enhance local amenity by:</i></p> <ul style="list-style-type: none"> • <i>providing privacy;</i> • <i>providing equitable access to light, sunshine and air movement; and</i> • <i>facilitating view sharing and maintaining adequate space between buildings to limit impacts on views and vistas from private and public spaces.</i> • <i>defining and adding character to the streetscape including the provision of adequate space between buildings to create a rhythm or pattern of spaces; and</i> • <i>facilitating safe and adequate traffic conditions including levels of visibility around corner lots at the street intersection</i> <p>The proposed first floor setbacks will not introduce any significant adverse amenity related impacts on neighbouring properties and the rhythm of buildings in maintained.</p> <p><i>3) To promote flexibility in the siting of buildings</i></p> <p>The variation to this guideline allows for flexibility in the siting of buildings.</p>	Satisfactory
Rear – 8m	No change at ground level. First floor – 9.010m	✓
Open Space (55%) and Landscaped Area (35% of open space)	No change to the footprint or landscaping/open space is proposed.	✓
Parking 2	Nil. The provision of parking is not feasible on this site.	✓
First Floor and Roof Additions	The proposed first floor addition complements the architectural style of the ground floor and has a roof which is sympathetic to the roof form at the front being retained.	✓

	The addition is of an appropriate scale so as not to dominate the existing building or to create any significant adverse impacts on the streetscape.	
Waste Management	The DA is accompanied by a Waste Management Plan	✓

4.3 Likely Impacts and Other Key Assessment Considerations

In summary, the proposed development is not considered to introduce any significant adverse biophysical, social or economic impacts on the environment or any adverse privacy, view or shadowing impacts on neighbouring properties as discussed above in response to the DCP.

4.4 Suitability of the site

There are no natural or man-made site affectations that would hinder the proposed development. The site is considered to be suited for its intended purpose.

4.5 Submissions

The proposed development will be notified in accordance with Manly DCP 2013. Any submissions received are required to be considered under Section 4.15 of the Environmental Planning and Assessment Act 1979. Evolution Planning will be happy to provide any further responses to any potential submissions, where necessary.

4.6 Public Interest

The proposed development does not raise any significant matters of public interest.

5 Conclusion

The proposed development has been assessed against Section 4.15 of the Environmental Planning and Assessment Act 1979 as satisfactory.

The proposed development complies with all relevant State Environmental Planning Policies and fully satisfies LEP 2013.

The proposal is considered to be entirely consistent with the related provisions of DCP 2013, except for strict numeric compliance with the guidelines related to wall height and the side setback. The proposed variation to these guidelines are fully justified in light of the satisfaction of the related objectives of these guidelines in accordance with Section 4.15(3A)(b) of the Act.

The proposed development is considered to be an appropriate response the desired characteristics of the Pittwater Road Conservation Area and will result in an acceptable streetscape outcome.

No significant adverse visual, privacy, view or shadowing impacts are anticipated on neighbouring properties.

It is therefore recommended that consent be granted subject to appropriate consent conditions.

