

STATEMENT OF ENVIRONMENTAL EFFECTS

1 MULGOWRIE CRESCENT, BALGOWLAH HEIGHTS

**CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO
AN EXISTING DWELLING**

**PREPARED ON BEHALF OF
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APPENDICES

APPENDIX A – LOCALITY ANALYSIS

1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling on Lot 9, Section 58 in DP 748044 which is known as **No. 1 Mulgowrie Crescent, Balgowlah Heights**.

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 BASE Surveying, Reference No. 14-61A and dated 6/6/19.
- Architectural Plans prepared by Sketch Arc, Project No. 1430 and dated 08.08.19.
- Bushfire Report prepared by Bushfire Consulting Services Pty Ltd, Report No. 19/0521 and dated 08/08/2019.
- BASIX Certificate # A355189 and issued 6 August 2019.

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.

3. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 1, Section 58 in DP 758044 which is known as No. 1 Mulgowrie Crescent, Balgowlah Heights. The site is generally rectangular in shape which narrows towards the rear. The site which is located on the western side of Mulgowrie Crescent, has an area of 624.4m² and a street frontage of 21.72m. The site has a maximum depth of 45.3m. The locality is depicted in the following map:



Site Location Map

The property has a gradual fall from the street frontage (RL83.1) towards the rear boundary (RL 76.25). The site currently comprises a two storey rendered brick dwelling with garage and basement under. The dwelling is located centrally on the site and is orientated towards Mulgowrie Crescent. A low masonry wall is erected along the boundary fronting Mulgowrie Crescent.

Vehicular access is via a concrete driveway located adjacent to the southern side boundary and providing access to the basement/lower level garage on the southern elevation. An inground pool is located in the rear yard.

The site is characterised by informal gardens and does not comprise any significant vegetation.

The site is depicted in the following photographs:



View of the site from Mulgowrie Crescent



Rear View of Existing Dwelling

The existing surrounding development comprises a variety of single and two storey dwellings on similar sized allotments. 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 and additions to the upper level of the existing dwelling. The proposed additions will be constructed of rendered external walls and a pitched tiled roof to match the existing dwelling.

There are no changes proposed to the lower or ground floor plans. The proposed additions relate only to the existing upper floor level. The proposal seeks to provide minor additions to the upper floor by extending two spayed edges and creating more rectangular rooms. These alterations are also designed to improve privacy to both the residents of the subject and adjoining properties. The existing 'splayed walls' are orientated and provide opportunity to overlook the adjoining properties and allow for adjoining properties to view into the habitable areas of the subject site. The proposed additions will re-orientate the view over the rear yard and away from the adjoining properties. The additions retain the existing side and front boundary setbacks. In this regards the proposed additions provide for a setback of 1.2m to the northern side boundary and 4.0m to the southern side boundary.

All collected stormwater will be directed to the existing stormwater system which disperses no site.

The proposal will result in the following numerical indices:

| | |
|-----------------------------------|---------------------------------------------------------|
| Site Area: | 624.4m² |
| Proposed FSR: | 249.68m² or 0.40:1 |
| Existing Total Open Space: | 467.2m² or 74.8% |
| Proposed Total Open Space: | 467.2m² or 74.8% |
| Existing Landscaped Area: | 197.61m² or 42.3% of total open space |
| Proposed Landscaped Area: | 197.61m² or 42.3% of total open space |

5 ZONING & DEVELOPMENT CONTROLS

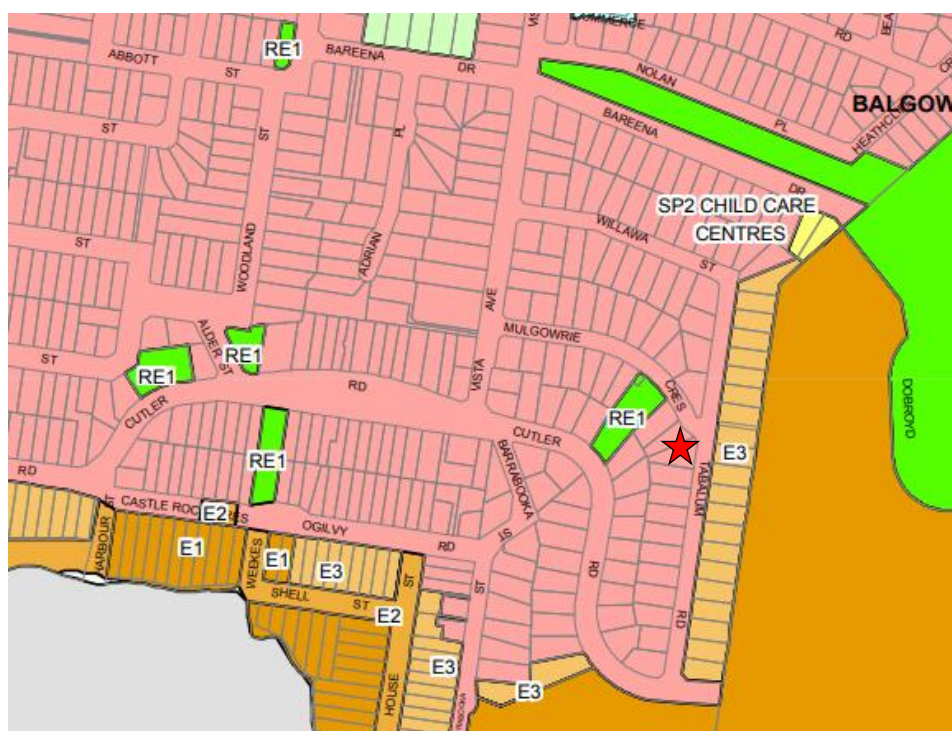
The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Manly Council.

5.1 Planning for Bushfire Protection 2006

The subject site is identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 apply to the proposed development. A Bushfire Risk Assessment has been prepared by Bushfire Consulting Services Pty Ltd which in summary provides:

This report has considered all the elements of bushfire attack and finds that the development represents a relatively low bushfire risk and has a Bushfire Attack Level of BAL 12.5. The proposed development satisfies the objectives and performance requirements of 'Planning for Bushfire Protection 2006' when implementing the recommendations of this report.

5.2 Manly Local Environmental 2013



Extract of Zoning Map

The subject site is zoned R2 Low Density Residential. The objectives of the R2 Zone 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.*

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

- Providing minor additions/alterations to the existing dwelling which is permissible in this zone.
- Retaining the existing amenity to the surrounding residences.
- Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.

Dwelling alterations and additions are permissible use in the R2 Low Density 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 | Yes |
| Clause 4.4 Floor Space Ratio | 0.4:1 | 249.68m ² or 0.40:1 | Yes |

The following clauses also apply:

Clause 6.9 Foreshore Scenic Protection Land

This clause provides:

- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following matters:*
- (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,*
 - (b) *measures to protect and improve scenic qualities of the coastline,*
 - (c) *suitability of development given its type, location and design and its relationship with and impact on the foreshore,*
 - (d) *measures to reduce the potential for conflict between land-based and water-based coastal activities.*

The proposal is consistent with the requirements of this clause for the following reasons:

- The proposed additions are relatively minor and will not be visible from the foreshore or harbour.
- The proposal does not result in any conflict between land based and water based coastal activities.

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 site is located on the low side of Mulgowrie Crescent. The proposed additions are relatively minor and provide for some small increase in floor area to improve room configuration and provide a more aesthetic frontage. The proposal maintains appropriate setbacks to the boundaries of the site with the existing front and side boundary setbacks being maintained.

Clause 3.3 - Landscaping

The proposed additions do not reduce the area of landscaping currently provided on site. Further the proposal does not require the removal of any vegetation. No further information is required in this regard.

Clause 3.4 - Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

The objectives of the clause are noted as:

- | | |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Objective 1)</i> | <i>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.</i> |
| <i>Objective 2)</i> | <i>To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.</i> |

It is suggested that the works will achieve these objectives as:

- The proposal provides for minor additions to the existing upper floor level.
- The proposal maintains the setbacks provided to the existing dwelling.
- The materials and finishes are consistent with the existing finishes.
- The proposed additions do not reduce the level of privacy currently enjoyed by the adjoining properties. In this regard the proposal maintains ample boundary setback to ensure separation and as such will not result in unreasonable loss of privacy.
- The proposed additions will not obstruct any existing views given the location of the existing building.

Clause 3.5 - Sustainability

A BASIX Certificate has been submitted with the application.

Clause 3.7 - Stormwater Management

All collected stormwater will continue to be connected to the existing stormwater system accordance with Council controls. There is no increase in hard surface areas.

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 D8 – 1 dwelling per 1,150m ² | The site has an area of 624.4m ² however, the proposal does not incorporate any subdivision. |
| Floor Space Ratio | Refer to LEP 0.4:1 | Yes |
| Wall Height | Height – 6.5m | The proposal provides for a maximum wall height of 7.5m. However, these elements are only an extension of the existing wall and to maintain the roof form. The height of the wall is a direct result of the slope of the site and the existing floor levels. The non-compliance does not have any detrimental impact. In this regard the proposal maintains privacy, solar access and appropriate view sharing. |
| Number of Storeys | Two Storeys | The existing dwelling is currently two storeys with lower level parking. This application does not provide for a new storey, rather provides for a minor addition to the upper level. There is no increase in overall existing height. |

| Clause/ Design Element | DCP Requirement | Compliance/Comments |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Roof Height | 2.5m above wall height | Yes |
| Parapet Height: 600mm above wall height. | 600mm above wall height | N/A |
| Maximum Roof Pitch | 35° | Yes |
| Building Setbacks | <p>Front Setback – Min. 6.0 metres or consistent with neighbouring.</p> <p>Secondary setback – same as side boundary setback</p> <p>Side Setback – 1/3 of the height of wall.</p> | <p>Yes All works are located behind the existing front building line.</p> <p>N/A</p> <p>A setback of between 2.5m is required to the northwest side boundary. The proposed additions are setback 1.2m from this boundary. The setbacks as proposed are considered appropriate in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The additions do not encroach the existing setback. The existing dwelling provides for a setback of 1.2m to the northwest boundary. • The additions on this element of the proposal are very minor and provide for approximately only 1.2m² of additional floor area within proximity of the northwest boundary. This is very minor and does not warrant providing an increased setback. This area is currently a terrace and enclosing it to provide for floor area will improve privacy to the adjoining properties. |

| Clause/ Design Element | DCP Requirement | Compliance/Comments |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <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> | <ul style="list-style-type: none"> The additions to the rear will ensure the existing bedroom is re-orientated to overlook the rear yard and improve privacy between the subject and adjoining sites. The proposed additions result in only minimal additional overshadowing. <p>Not Applicable</p> <p>Yes Ample setback is provided to the rear boundary.</p> |
| Landscaping/Open Space | <p>Open Space Area 4: Minimum total open space: 60% of site area.</p> <p>Minimum soft open space as 40% of total open space</p> <p>Minimum number of endemic trees: 4</p> | <p>Yes The proposal provides for 467.2m² or 74.8% of the site for total open space and 197.61m² or 42.3% of landscaped area.</p> <p>The proposal does not require the removal of any protected trees.</p> |

| Clause/ Design Element | DCP Requirement | Compliance/Comments |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m².</p> | <p>Yes The proposal retains ample private open space in the rear yard. The new deck area is directly adjacent to the internal living areas and provides for a good area for outdoor living and direct connection to private open space.</p> |
| Parking and Access | <p>Minimum 2 Spaces per Dwelling.</p> <p>Garages/carports shall be sited so as to not dominate the street frontage through the use of appropriate materials.</p> <p>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>The proposal retains the existing parking arrangements on site. There is no change to the existing parking.</p> |
| First Floor Additions | <p>Additions may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues.</p> <p>Must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences</p> | <p>Yes The proposal provides for the first floor to be provided with appropriate setbacks to all boundaries. As discussed previously there is no unreasonable overshadowing, loss of views or loss of privacy as a result of the additions.</p> <p>Shadow diagrams have been submitted which depict that the proposal does not result in unreasonable overshadowing.</p> |

| Clause/ Design Element | DCP Requirement | Compliance/Comments |
|------------------------|-----------------------------------------------------------------------------------------|---------------------|
| 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 vegetation protected by Council's Tree Preservation Order. 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 R2 General Residential and the construction of alterations and additions to an existing dwelling house is 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 an upgrade of the existing outdoor area and is 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 and additions 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. 1 Mulgowrie Crescent, Balgowlah** is worthy of the consent of Council.

Natalie Nolan
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APPENDIX A – LOCALITY ANALYSIS

The Mulgowrie Crescent locality is characterised by a mixture of single and two storey dwellings of varied architectural design.

The roof form in this area is a predominantly traditional pitched roof forms of both metal and tiled materials. Dwellings are constructed of a mixture of rendered and face brickwork and some cladding.

A number of properties comprise parking structures forward of the building line and fencing comprises a mixture of solid masonry and timber pickets.

The proposed development has been designed to complement the existing locality. The proposed works are located at the rear of the site and are not visible from the street. The design of the proposal in response to the locality and the site's constraints and opportunities and this is demonstrated in the Statement of Environmental Effects.