

STATEMENT OF ENVIRONMENTAL EFFECTS

9 SALISBURY SQUARE, SEAFORTH

**CONSTRUCTION OF CARPORT AND FRONT FENCE
ANCILLARY TO EXISTING DWELLING**

**PREPARED ON BEHALF OF
Mr Samuel Allen**

MARCH 2020

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APPENDIX A – LOCALITY ANALYSIS

1. INTRODUCTION

This application seeks approval for the construction of a front fence and carport ancillary to an existing dwelling on Lot 110 in DP 4889 which is known as **No. 9 Salisbury Square, 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 DC Surveys, File No. 5077 and dated 11/11/2019.
- Architectural Plans prepared by Scope Architecture, Project No. 01913, Revision 1 and dated 06.03.20.
- Bushfire Report prepared by Planning for Bushfire Protection Pty Ltd, Ref No. 1375 and dated 29.02.20

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 110 in DP 4889 which is known as No. 9 Salisbury Square, Seaforth. The site is generally rectangular in shape with splayed rear boundary. The site which is located on the western side of the Salisbury Square has an area of 1,137.53m² and a street frontage of 20.115m to Salisbury Square. The northern and southern boundaries have lengths of 55.48m and 57.62m, respectively. The locality is depicted in the following map:



Site Location Map

The property has a gradual fall from the street frontage towards the rear boundary. The site currently comprises a two storey rendered brick dwelling with attached garage. The dwelling is located on the eastern portion of the site with a swimming pool located towards the rear boundary. A low rendered wall is erected along the boundary fronting Salisbury Square.

There is no significant vegetation on site. The site is not heritage listed nor is it contained within a heritage conservation area.

The site is depicted in the following photographs:

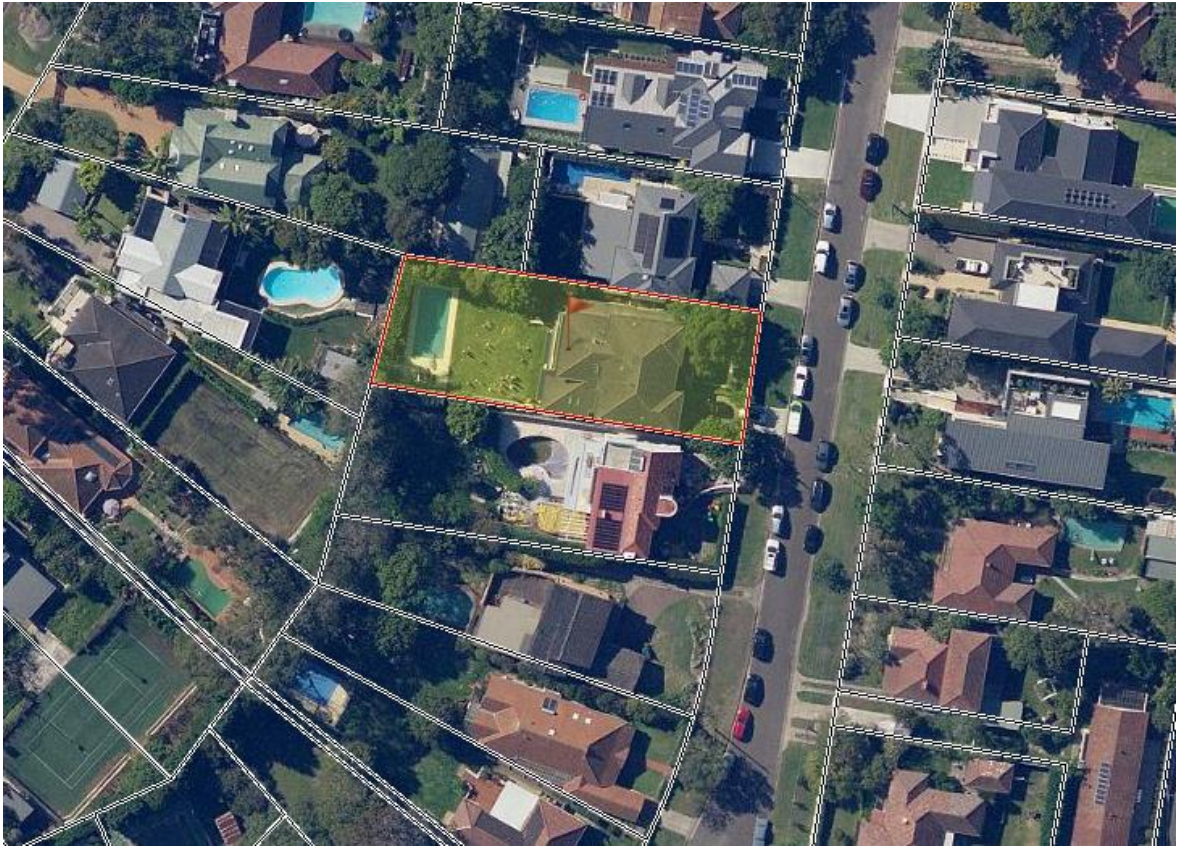


View of the site from Salisbury Square



View of Existing Driveway

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 a front fence and carport ancillary to the existing dwelling. The proposed carport is to be constructed of masonry and timber pillars with a pitched tiled roof form.

The proposed carport is to be located over the existing driveway adjacent to the southern boundary. The carport is provided with a setback of 900mm to the street frontage and 1.38m to the southern side boundary. A storage area is incorporated into the carport which extends to 675mm to the southern side boundary. A timber slat sliding gate is to be erected along the front boundary with a height of 1.4m.

The existing front fence will be demolished and replaced with a new fence. The new fence is to be constructed of masonry with a timber slat feature panel and pedestrian gate. The fence will have a maximum height of 2.0m at the northern end and tapers down to 1.4m at the southern end.

The proposal will result in the following numerical indices:

Site Area:	557.3m²
Total Open Space:	746m² or 65.5%
Landscaped Space:	498m² or 66% of the 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

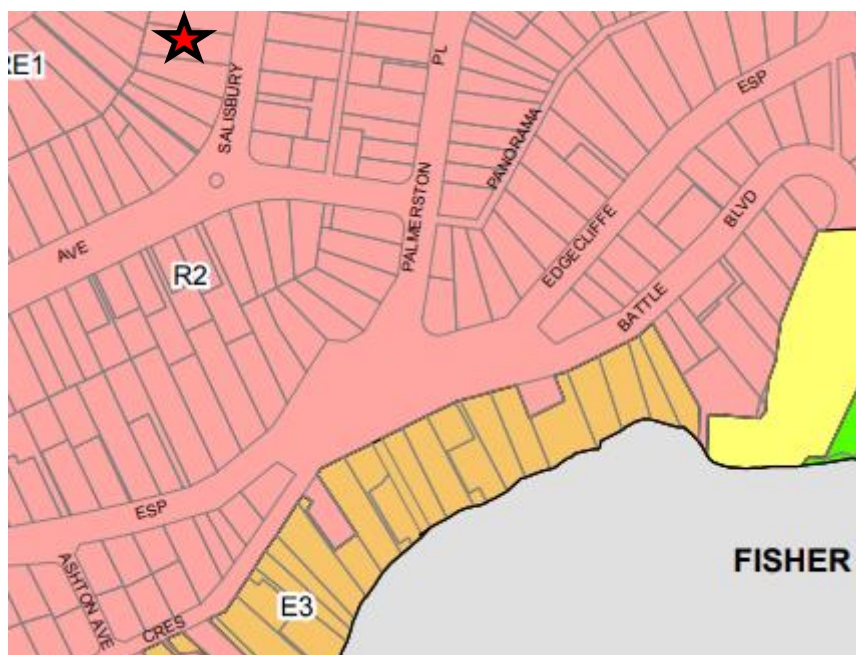
The subject site is identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 apply to the proposed development. A Bushfire Risk Assessment has been prepared by Mr Ron Coffey which in summary provides:

The report concludes that the proposed development is on designated bushfire prone land and the legislative requirements for development in bushfire prone areas are applicable.

The proposed development will be constructed to the minimum standards required in accordance with the guidelines of Planning for Bushfire Protection 2006.

This report has considered all the elements of bushfire attack and provided the proposed development is constructed in accordance with the recommendations included in section 12 of this report, it is my considered opinion that the development satisfies the Objectives and Performance requirements of the Building Code of Australia, Planning for Bushfire Protection 2006 and Australian Standard AS3959, 2009.

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 for development ancillary to an existing detached 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	No change to existing floor area	N/A

The following provisions of the LEP also apply:

Clause 6.1 Acid Sulfate Soils

The subject site is identified as Class 5 on the Acid Sulfate Soil map. The proposal provides for only minimal excavation for piers and will not affect the water table. No further information is required in this regard.

Clause 6.9 Foreshore Scenic Protection Area

The subject site is identified as land within the foreshore scenic protection area and therefore this clause applies. It is considered that the proposal is consistent with the requirements of this clause and should be supported for the following reasons:

- The proposal provides for a fence and carport only. These structures are not visible from the foreshore or water.
- The works do not extend above the height of the existing dwelling.
- There will be no conflict between land-based and water-based coastal activities as a result of this development.

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 subject site currently provides for fencing along the front boundary. This application seeks to replace the existing fencing to provide a more secure environment. The majority of properties in Salisbury Square provide for front fencing with a variety of styles and heights. The proposed fencing is not considered to detract from the character of the streetscape.

The proposal provides for a carport forward of the existing dwelling. This is compatible with the existing surrounding built form. In particular, the following properties provide for parking forward of the main dwelling:

- No. 11 Salisbury – immediately to the north of the subject site.
- No. 7 Salisbury – immediately to the south of the subject site.
- No. 3 Salisbury

It is considered that the proposal provides an appropriate presentation to the streetscape.

Clause 3.3 - Landscaping

The proposed carport is generally located over the existing driveway area, with the exception of a small extension to the south. The proposed carport will retain the existing hedge adjacent to the southern boundary and will not have any detrimental impact on existing trees.

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 a new carport and front fence which are non-habitable structures and will not reduce the level of privacy to the adjoining properties.
- The carport is single storey and is located adjacent to a carport on the adjoining southern property. As such there will be no loss of solar access to living areas or private open space of the adjoining properties.
- The carport is single storey and will not obstruct any views.

Clause 3.5 - Sustainability

A BASIX Certificate is not required for the proposed works.

Clause 3.7 - Stormwater Management

All collected stormwater will continue to be connected to the street gutter in Salisbury Square in accordance with Council controls.

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 D7 – 1 dwelling per 750m ²	Yes The site has an area of 1,137m ² and the proposal does not incorporate any subdivision.
Floor Space Ratio	Refer to LEP 0.5:1	Not applicable The proposal does not provide for any additional floor area.
Wall Height	Height – 6.5m	Yes Carport post height maximum 3.5m Storage wall height 2.3m.
Number of Storeys	Two Storeys	Yes Carport is single storey.
Roof Height	2.5m above wall height	Yes Maximum 1.5m
Parapet Height: 600mm above wall height.	600mm above wall height	N/A

Clause/ Design Element	DCP Requirement	Compliance/Comments
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>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>The proposed carport is provided with a setback of 0.9m. This is discussed in detail at the end of this table.</p> <p>Not Applicable</p> <p>Yes Setback of 1.16m required to carport</p> <p>Proposal provides for setback of 1.38m to the carport which complies with this clause. It is noted that the proposal retains the existing landscape hedge adjacent to the southern side boundary.</p> <p>Not Applicable</p> <p>Yes No works proposed in rear yard.</p>
Landscaping/Open Space	Open Space Area 3: Minimum total open space: 60% of site area.	Yes The proposal provides for 746m ² or 65.5% of the site for open space.

Clause/ Design Element	DCP Requirement	Compliance/Comments
	<p>Minimum soft open space as 40% of total open space</p> <p>Minimum number of endemic trees: 4</p> <p>Private open space to be directly accessible from living areas. Minimum dimension 3m. Minimum area of 18m².</p>	<p>The proposal provides for 498m² of soft open space or 66% of the provided total open space.</p> <p>The proposal does not require the removal of any protected trees.</p> <p>Yes The proposal retains ample private open space in the rear yard. The new works are located in the front yard and do not affect existing 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 50% of site width up to a maximum of 6.2m.</p>	<p>Yes The proposal provides for the existing driveway to be covered to provide for additional secure parking.</p> <p>Carport has a width of 6.5m. Whilst this slightly exceeds the maximum width by 300mm it is not considered to be detrimental. The site has a generous width with the carport width being only 32% of the site width. The carport is an open structure with landscaping provided within the front setback. It is not considered that the carport dominates the site.</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>Not Applicable</p>

Clause/ Design Element	DCP Requirement	Compliance/Comments
	Must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences	
Fences	Maximum height 1.0m for solid Maximum height 1.5m where at least 30% is transparent.	<p>The proposal provides for a front fence with a height ranging from 1.4m to 2.0m. This replaces an existing fence. It is considered that the proposed fence is appropriate in this instance for the following reasons:</p> <ul style="list-style-type: none"> • There is a variety of fencing styles and heights in Salisbury Square. • The majority of properties are fenced along the front boundary. • The fence is well articulated with the southern portion setback 900mm from the front boundary with landscaping forward, a timber batten gate and timber slat infill panels on the northern portion of the fence. • The proposal retains existing trees within the front setback. • The proposal provides for a development that is compatible with the existing streetscape.

4.1.4.1 Street Front setbacks

This clause generally requires a front setback of 6.0m or to be compatible with the adjoining properties. It is considered that the setback provided to the proposed carport is appropriate in this instance and achieves the objectives of this clause for the following reasons:

- The two immediately adjoining properties, No. 7 and 11 Salisbury Square, have carports forward of the main dwelling structure. The proposed carport is considered to be compatible with these structures and their established building line.
- The proposed carport is an open lightweight structure.
- The carport and front fence in this portion of the site is setback 900mm from the front boundary to enable some landscaping planting immediately adjacent to the front boundary. This softens the structure, provides for a more integrated design and ensures compatibility with the streetscape.
- The carport is single storey and located immediately adjacent to a carport structure on the adjoining southern property and as such does not result in any loss of privacy or loss of solar access to private open space or habitable areas of the adjoining property.
- The carport does not result in any loss of views and is not visible from the foreshore or any waterway.
- The carport incorporates a pitched roof to complement the existing dwelling on site.

Photos of other parking structures:



No. 3 Salisbury



No 11 Salisbury



No. 7 Salisbury



No. 5 Salisbury

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 a new front fence and carport ancillary 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 loss of privacy, amenity or solar access to the adjoining properties.

The Suitability of the Site for the Development

The subject site is zoned R2 Low Density Residential and the construction of a front fence and carport ancillary 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 additional secured covered parking area that is compatible 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 a new front fence and carport ancillary 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 carport and front fence ancillary to an existing dwelling upon land at **No. 9 Salisbury Square, Seaforth** is worthy of the consent of Council.

Natalie Nolan
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APPENDIX A – LOCALITY ANALYSIS

The Salisbury Square 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.