

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR THE ERECTION OF A TWO-LEVEL DWELLING ON
PROPOSED LOT 17
IN A SUBDIVISION OF LAND AT
41 WARRIEWOOD ROAD, WARRIEWOOD

FOR

MR & MRS PAUL & BRONWYN SOMMER

NORTHERN BEACHES COUNCIL

DATE: 26.03.2019

INTRODUCTION

This Statement of Environmental Effects is submitted to Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a new two storey dwelling containing four (4) bedrooms, upper leisure, study, living, home theatre, family and meals rooms along with an attached garage and outdoor alfresco dining area.

The site is regular in shape, with a frontage of 11m to proposed Bubalo Street and has a total land area of 330m². The site has a moderate slope across the land, with drainage to be directed to the street via a rainwater tank and OSD collection system.

The site is currently vacant.

The neighbourhood generally consists of a mix of residential buildings of one and two storey construction.

The following sections of this statement address the minimal impact of the proposal on the environment.

The proposal is considered to generally satisfy the objectives of all the relevant Council development standards relating to dwelling houses.

ENVIRONMENTAL EFFECTS

The following sections address the relevant matters for consideration of the application.

RELEVANT PLANNING INSTRUMENT

Pittwater Local Environmental Plan 2014

The subject site is zoned R3 Medium Density Residential pursuant to Pittwater Local Environmental Plan 2014.

The proposed development is defined as a “dwelling house” meaning “a building containing only one dwelling”.

The construction of a “dwelling house” is permissible in the identified zone, subject to development consent.

Zone objectives and land use table

The objectives of the R3 Zone are as follows:

- *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 provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding uses.*

The proposed development is for a low-density residential development, being compatible with the existing and future character of the locality. The dwelling is designed to provide a high level of amenity for adjoining residents whilst considering the natural constraints of the site. The proposed dwelling is considered to meet the relevant objectives of the R3 zone.

A. GENERAL PLANNING CONSIDERATIONS

Height of Building

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m ridge height.	7.994m	Yes

Exceptions to Development Standards

Due to a number of site constraints, the proposal seeks minor amendments to some of the setback requirements which will have no or minimal adverse impacts. Refer to Section "D".

Heritage Conservation

The site is not located in a conservation area and does not contain a heritage item. No heritage items are noted within direct proximity to the site.

Bush fire hazard reduction

The subject site has not been identified as bushfire prone land.

Acid Sulfate Soils

The subject property is not identified as being affected by Acid Sulphate Soils.

Flooding

The subject site is not affected by flooding.

Water Management

The subject subdivision has been provided with an approved water retention basin system adjoining Lorikeet Grove. Refer D.A NO 491/16 determined 8/3/17. The subject dwelling will be connected to that system.

On Site Stormwater Detention

The proposal provides for a 4000 litre on site water detention system to be reticulated to the landscaping and W.C's throughout the dwelling.

Access Driveways

The approved subdivision has provided safe and convenient access to the site via an access driveway and gutter crossing from the street to the front boundary. A concrete paved driveway will connect access from the front boundary to the dwelling. The driveway will comply with gradients and design requirements.

Off Street Parking

The proposal satisfies the Building Envelope Plan (B.E.P) requirement for a single garage. An additional off-street parking space is available in front of the garage door.

Construction and Demolition

The site is a vacant allotment. The dwelling involves limited excavation and filling due to the recent completion of the subdivision.

Erosion and Sediment Control

Appropriate sedimentation controls will be implemented throughout construction to prevent transportation of sediment to other properties. The site will be landscaped to prevent ongoing erosion.

B. RELEVANT DESIGN CRITERIA FOR RESIDENTIAL DEVELOPMENT

PART C of D.C.P. 21

SUBJECT	REQUIREMENT	PROVISION	COMPLIANCE
C1.1 Landscaping	Landscape Plan to be submitted	A Landscape Plan has been prepared which provides detailed landscaping of the site. The proposal is considered to comply with this requirement.	Yes
C1.2 Safety and Security	The controls seek to achieve the outcomes: On-going safety and security of the Pittwater community. Opportunities for vandalism are minimized.	The proposed dwelling has been designed to provide good visual surveillance of the site and the public domain. The proposal is considered to comply with this requirement.	Yes
C1.3 View Sharing	The controls seek to achieve the outcomes: A reasonable sharing of views amongst dwellings. Views and vistas from roads and public places to water, headland, beach and bush views are protected, maintained and enhanced.	Proposal does not restrict views from surrounding properties.	Yes
C1.5 Visual Privacy	The controls seek to achieve the outcomes: Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. A sense of territory and safety is provided for residents.	The proposed dwelling living areas have been located to prevent any privacy issues for adjoining properties and limit overlooking opportunities towards adjoining properties.	Yes

C1.6 Acoustic Privacy	The controls seek to achieve the outcomes: Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited.	Given the residential nature of the works, there will not be any significant impact on the surrounding locality in terms of acoustic privacy. The development is provided with appropriate side boundary setbacks with ample separation to living areas of surrounding properties maintaining levels of privacy.	Yes
C1.7 Open Space	Provide good solar access to private open space	The proposal provides for adequate solar access to private open space at the rear of the dwelling which is directly accessible from the living areas.	Yes
C1.9 Accessibility	Disabled Access	Single dwellings and associated structures are not required to provide access in accordance with AS4299-1995.	Yes
C1.12 Waste and Recycling Facilities	Waste bin storage	There is sufficient area on site, and behind the proposed building line, for the storage of waste and recycling receptables which are not visible from the public domain.	Yes
C1.23 Eaves	This clause requires dwellings to be provided with eaves having a minimum width of 450mm.	The dwelling has been provided with eaves that comply with this requirement.	Yes

C. LOCALITY SPECIFIC DESIGN CRITERIA

PART D OF D.C.P 21 and Building Envelope Plan (B.E.P)

A summary of the DCP controls for the D16 Warriewood Valley Locality and B.E.P is provided below:

SUBJECT	REQUIREMENT	PROVISION	COMPLIANCE
D16.1 Character as Viewed from a Public Place	Achieve desired character and public domain controls	The dwelling is designed with appropriate treatments to the street frontage and provides for a landscape plan.	Yes
D16.4 Water Management for Individual Homes	Stormwater management	Stormwater plan submitted with application from Clarendon Homes	Yes
D16.5 Landscaping Area for newly created lots	Total Landscaped area shall be 35% and minimum dimension 4m.	The landscaped area of the proposed development will be 126.7m ² or 38.40% of the subject site.	Yes
D16.6 Front Building Lines	N/A	N/A to this subdivision. Refer to following section "D" for merit variations to the applicable "Building Envelope Plan" referred to in D.A. NO491/16.	
D16.7 Side and Rear Building Lines	N/A		
D16.8 Spacial Separation	Provide adequate separation between buildings	Refer to following Section D	
D16.9 Solar access	2hrs to living rooms & POS	The development has been sited and designed to maximise solar access, adequate daylight and ventilation to habitable rooms given the nature and orientation of the site. A high level of sunlight will be available to the rear and front yards during the winter period. It should be noted that the dwelling is positioned in the location indicated on the building envelope within the B.E.P, referred to in the subdivision consent for D.A NO491/16.	Yes

D16.10 Private & Principle Open Space	Building Envelope Plan (B.E.P) requires 4m x 5m = 20m ²	Far exceeds 20m ² . See landscape plan. Orientation Span: NE, E and SE	Yes
D16.11 Form of Construction including retaining walls	Achieve sensitive building design	Complies with relevant requirements. See building plans.	Yes
D16.12 - Fence-General	Side & rear fences not exceeding 1.8m	Refer to Landscaping Plan	Yes
D16.13 Building Colours and Materials	Selection of materials and colours to be provided	Details of building colours and materials submitted with application from Clarendon Homes	Yes

D. MERIT BASED DEPARTURES FROM THE BUILDING ENVELOPE PLAN (B.E.P)

Introduction

The site is subject to a Building Envelope Plan. This plan seeks to outline among other things, dwelling setbacks. It also indicates the location where dwellings are recommended to be placed on each lot and the positioning of driveways and garages.

While the idea of creating a plan showing generally how lots could be developed has some merit, certain specific site constraints applicable to the subject lot 17, warrant some minor flexibility in the application of the B.E.P's setbacks. However, the proposed variations produce a win/win situation. They allow for a much better house design, siting arrangement, a larger and more useable rear yard space with greater solar access to the yard and dwelling.

At the same time, the planning objectives of the B.E.P & Pittwater 21 D.C.P (including Building separation, Privacy and Streetscape) are achieved.

Considerable time, effort, planning, negotiation and cost has been expended to achieve this positive outcome.

Following are details of the setback requirements of the B.E.P., proposed minor variations, and outcomes as well as areas where the proposal exceeds/complies.

B.E.P. Setbacks	Proposed Setbacks	Outcome
Rear Setback 6.5m	7.395m	Exceeds/Complies with B.E.P.
Garage Door Setback 6.5m	6.5m	Complies with B.E.P.
Ground Floor, SW Elevation 1.0m	Front to rear of Garage – 1.059m Rear of garage to rear of house - 1.299m	- Exceeds/complies with B.E.P. - Provides for neighbour to gain access to side of garage wall for maintenance, as required by restriction as to user, benefitting neighbour and burdening the applicant. Note: The applicant has incurred the additional cost of a “drop edge beam” to achieve this result. - Exceeds/complies with B.E.P. - Provides for maximum possible separation between applicant's and neighbour's dwellings to the benefit of both parties.

Front left setback 6.5m	5.0m	<p>Bringing the left side front wall forward will have no adverse effect on either the streetscape or the neighbours of adjoining lot 19 (to the N.E) or on lot 16 (to the S.W).</p> <p>Note: Lot 19 fronts Warriewood Road. Its side boundary fronts Bubalo Street and its rear boundary is common with part of the N.E boundary of the subject lot 17.</p> <p><u>Lot 19:</u> A privacy fence or dense landscaped visual barrier will be placed on or adjoining the existing 1m high retaining wall located on part of the Bubalo Street frontage and along the common boundary with Lot 17. This will effectively create a “zero setback” at the common corner of lots 17 & 19. The applicants house on lot 17 will appear to be pushed back and be overshadowed and dominated by that corner should the full 6.5m setback be applied. There will be no visual or solar impact to lot 19. The dwelling and yard on that land will be located to the N.E of the proposed dwelling and will be a minimum of 1m above the natural surface level of lot 17.</p> <p><u>Lot 16:</u> There will be no adverse impact on lot 16 as:</p> <ul style="list-style-type: none"> - The right-hand side garage of the proposed dwelling on lot 17 will comply with the 6.5m setback requirement. - The garage to be erected on lot 16 will be located on the common boundary of lot 17. - Allowing the 5.0m setback on the left front of the proposed dwelling will afford the appearance of a graduated building line from the common corner of lots 17 & 19 to the 6.5m setback on the lot 16 side.
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Right first floor Setback 1.5m	1.440m	Justified on the basis of site constraints, need to ensure internal room sizes are not compromised unnecessarily. The applicants have removed brickwork to the first floor external wall in favour of narrower cladding boards in order to minimise departure from the standard. The departure is negligible with unmeasurable and undiscernible impacts on the adjoining neighbour and amenity of the area.
Left ground floor Setback 1.00m	.950m	Justified on the basis of site constraints, need to ensure internal room sizes are not unnecessarily compromised. This part of the dwelling will not be seen from the adjoining properties to the N.E due to the 1m ground level difference between the higher lots 18/19 and the lower subject lot 17, after a boundary fence and landscaping have been installed.
Left first floor setback 1.5m	1.1m	<p>Justified on the basis of site constraints and the need to ensure internal room sizes are not unnecessarily compromised. Side setbacks are primarily designed to:</p> <ul style="list-style-type: none"> - Ensure access to natural light - Provide for adequate ventilation - Allow access to sunlight - Provide adequate spacial separation between buildings - Ensure privacy is provided to each adjoining neighbour. <p>The left/N.E. side of the proposed dwelling faces the rear yards of adjoining lots 18 & 19. These lots have a minimum rear yard building setback of 4.0m. The resultant separation between the subject dwelling and those to be erected on lots 18 & 19 will be a minimum of 5.1m. The proposed dwelling on lot 17 is located to the S.W of lots 18 & 19. Therefore, there will be no resultant overshadowing impacts on either the dwellings or rear yards of those lots. This eliminates any concerns regarding adverse impacts on natural light, ventilation, sunlight, visual and spacial separation.</p>

		<p>In the design of the proposed dwelling the applicant has ensured that there will be no issues relating to privacy by:</p> <ul style="list-style-type: none">- Providing a high level window in the N.E. walls of bedrooms 1 & 4.- Installing translucent glass in the windows of the first floor bathroom and W.C.- Ensuring that no window is installed in the N.E wall of bedroom 2. <p>Note: The applicant has chosen earthy, neutral wall and roof tile colours to ensure an attractive appearance of the proposed dwelling from all aspects. Finally, the building design allows for the pitched roof of the proposed dwelling to slope away from the N.E boundary to the ridgeline. The applicant has therefore ensured that the planning objectives of “Spacial Separation”, referred to in D16.8 of Pittwater 21 D.C.P, 2014 have been achieved.</p>
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SUMMARY AND CONCLUSION

The proposed dwelling is permissible within the zoning. It will be an attractive addition to the streetscape and neighbourhood, through the chosen building design, siting, colour selection and landscaping.

It will provide the young applicants and their growing family with a long term home in which to raise their children, contribute to and participate in the nearby and broader community, and respect and enjoy the exceptional natural environment of the northern beaches of Sydney.

The site of lot 17 has provided some design challenges. However, with careful and thoughtful planning and some minor adjustments to some of the B.E.P. requirements, a result has been achieved where no tangible adverse outcomes will be produced. At the same time and perhaps more importantly, the planning and community objectives embodied within the relevant planning standards have been satisfied. In a number of important areas, some requirements have been exceeded.

The Section 88B instrument relating to the Building Envelope Plan does identify Northern Beaches Council as the authority with the power “to release, vary or modify the terms of the restriction on the use of land”, namely the B.E.P (see details attached).

In view of the proposed minor departures from the B.E.P, the justifications presented and the fact that no measurable or discernable negative impacts would result, Council is requested to use its powers to support the proposal.

This statement has been prepared in good faith for Clarendon Homes and relies on certain information provided to the writer by Clarendon and Outbuild-Creative Outdoor Living.

Prepared by
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