



52 BURCHMORE ROAD MANLY VALE

STATEMENT OF ENVIRONMENTAL EFFECTS FOR ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING



Report prepared for
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1. Introduction

- 1.1 This is a statement of environmental effects for alterations and additions to an existing dwelling at 52 Burchmore Road, Manly Vale.
- 1.2 The report describes how the application addresses and satisfies the objectives and standards of relevant State Environmental Planning Policies, the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2011, and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).
- 1.3 This statement of environmental effects has been prepared with reference to the following:
- Site visit
 - Site Survey prepared by Survcorp
 - DA Plans prepared by Action Plans
 - BASIX Certificate prepared by Action Plans
 - Flood Management Report prepared by NB Consulting Engineers
 - Stormwater Management Plan prepared by NB Consulting Engineers
 - Geotech Report prepared by Ascent Geotechnical Consulting
 - Building Information Certificate issued by Northern Beaches Council on 15 March 2021
- 1.4 The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and results in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

2. The site and its locality

- 2.1 The subject site is located on the eastern side of Burchmore Road, approximately 70 metres north of its intersection with Kenneth Road. It is legally described as Lot 26 in DP 6238 and is known as 52 Burchmore Road, Manly Vale.
- 2.2 It is a rectangular shaped lot with a front (west) boundary of 12.19 metres, a rear (east) boundary of 12.19 metres and side boundaries (north and south) of 60.35 metres. It has frontage to, and vehicular access from, Burchmore Road and comprises an area of 735.7m².
- 2.3 The site is currently occupied by a four storey rendered dwelling house, with tiled roof, which steps down the site to follow the site topography. The site has a significant fall, dropping in excess of 6 metres towards the eastern property boundary. Below the dwelling is an existing secondary dwelling (including a bedroom, bathroom, dining/living area and kitchen), located at lower ground floor level. The secondary dwelling (granny flat) was approved by Council under DA 2006/0817 and Mod 1 DA 2007/0261.
- 2.4 The property is surrounded by a mix of residential development to the north, east and west and Warringah Shopping Mall is located to the west across Pittwater Road. The Manly Gold Course is within close proximity to the site, approximately 120 metres to the east.



Figure 1. Aerial Image of the subject site



Figure 2. The site within the locality

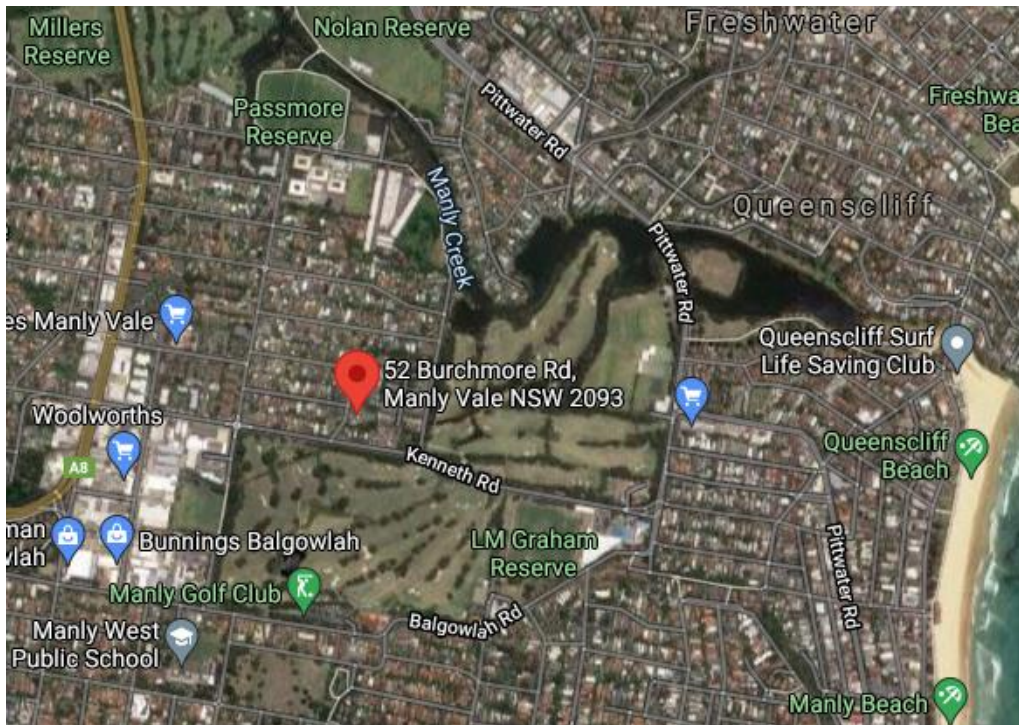


Figure 3. Aerial Image of the site within the locality

3. Site Photos



Figure 4. The existing dwelling, looking east from Burchmore Road.



Figure 5. The rear of the existing dwelling and adjoining dwelling, looking west.



Figure 6. The rear yard, looking east from the ground level deck.



Figure 7. The rear of the dwelling and adjoining development, looking north west.



Figure 8. The adjoining development at the rear of the subject site, looking north east.



Figure 9. The shared accessway between the subject site and 54 Burchmore Road, looking west.

4. Proposed Development

The proposed development is for the alterations and additions to the existing dwelling, including a new in-ground swimming pool, on the subject site.

The proposed development remains consistent with the streetscape and the locality. The proposal is consistent with Council controls, ensures privacy, solar access and views are maintained for both neighbours and the subject site.

The proposed works will be made up as follows:

Basement Floor Plan

- Internal staircase to upper level
- External staircase to upper level
- Enclose area below existing dwelling to create:
 - Additional bathroom
 - Workshop
 - Living area with wetbar
 - Storage area
- Rear deck/paved area
- New 39KL swimming pool, with 1.2 m high pool fence
- Landscaping works

Granny flat floor plan (lower ground floor level)

- Internal staircase to upper level
- External stairs from basement level to upper level
- New fire door from existing granny flat into internal staircase

Ground floor level

- Internal staircase to lower levels
- External staircase to lower levels (for fire safety purposes)
- Shade sail carport in front of existing single car garage

First Floor level

- Rear addition (enclosing half of the existing balcony) to create master bedroom, with timber framed roof with a 25.45° pitch to match existing roof
- New spa to be located in south eastern corner of the existing balcony
- Minor internal alterations

5. Statutory Framework

5.1 State Environmental Planning Policies

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

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy No. 55 – Remediation of Land

The subject site has historically been used for residential purposes and no change of use is proposed. There is no known reason to suspect the site may be contaminated and the consent authority can be satisfied that the land is suitable for the continued residential use.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The development remains consistent with the provisions of the SEPP as it does not propose to remove any trees.

5.2 Warringah Local Environmental Plan 2011

The relevant clauses of the Warringah Local Environmental Plan 2011 are addressed below.

Zoning

The site is zoned R2 Low Density Residential, pursuant to the provisions of the Warringah Local Environmental Plan 2011. Dwelling houses and secondary dwellings are permissible with development consent in the R2 zone.



Figure 10. Extract from Warringah LEP 2011 Zoning Map

Demolition

Minimal demolition works are proposed to allow for the construction of the proposed works. The demolition works are illustrated on the architectural drawings attached to this development application package and procedures to be followed on-site provided on the same drawings.

Minimum Lot Size

The site is mapped with a minimum lot size of 600m². The subject site has a site area of 735.7m² and no subdivision is proposed.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres. The development proposes a maximum height of 9.043 metres for new works.

A Clause 4.6 to vary the maximum LEP height control is attached.

Controls relating to miscellaneous permissible uses

The existing secondary dwelling is not altering in size and will remain 52m².

Heritage Conservation

The subject site is not mapped as a heritage item and is not located within a heritage conservation area.

Acid Sulfate Soils

The site is nominated on the Acid Sulfate soils map as containing Class 4 and 5 acid sulfate soils. The proposed works are not likely to lower the watertable more than 1 metre below the natural ground surface.

Earthworks

Earthworks are proposed to prepare the site for construction of the new swimming pool and landscaping works at the rear of the dwelling. Standard erosion and sediment control measures will be implemented and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

Flood Planning

Approximately half of the subject site (the eastern half) is identified on the Northern Beaches Flood Hazard Map as low and medium risk.

Although the existing and proposed building footprint are not located in the flood affected area, a Flood Report has been attached to this development application package. The report concludes that no anticipated increased flooding is envisaged to occur at the subject site due to the proposed alterations and additions.

Development on Sloping Land

Half the site is located in the area nominated the LEP maps as Area A – Slope < 5° (at the rear) and the remaining half as Area B – Flanking Slopes from 5 to 25° (at the front). As such the consent authority must be satisfied that:

- (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and*
- (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and*
- (c) the development will not impact on or affect the existing subsurface flow conditions.*

A Geotechnical Report is attached to this development application package. The report concludes that the proposed development is considered to be suitable for the site.

5.3 Warringah Development Control Plan

The relevant sections of the DCP are addressed below.

Part A Introduction

Objectives

The proposed development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposal is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

Part B General Controls

Wall Heights

A maximum wall height of 7.2 metres is permitted by the DCP and the existing development has a wall height of 7.861 metres from the existing natural ground level to the underside of the ceiling on the uppermost floor. The proposed rear addition (to accommodate the master bedroom) results in a compliant wall height of 6.54 metres on the north elevation.

Side Building Envelope

The site requires a side boundary envelope of 4m/45°. The existing development does not meet this requirement on the northern elevation (see Figure 11 below).

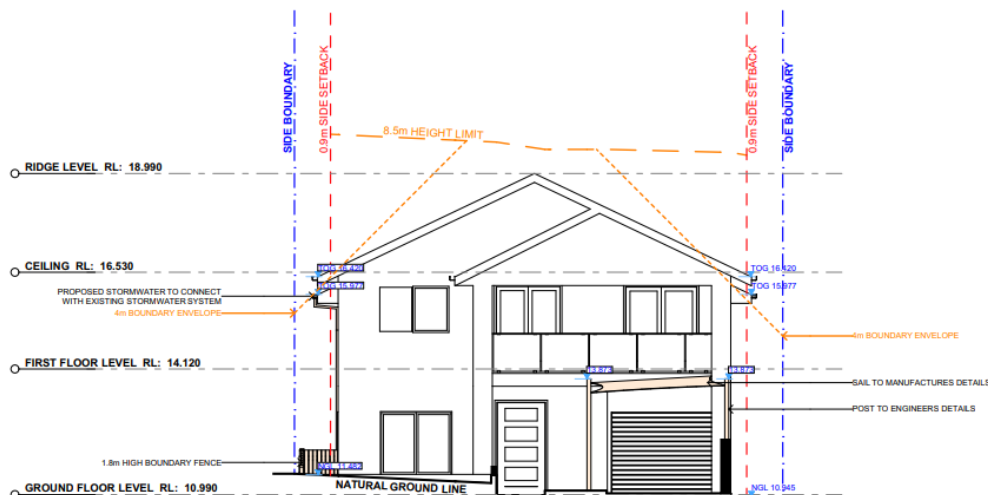


Figure 11. An excerpt of the west elevation illustrating the non-compliance.

impact on the streetscape, sitting directly behind the existing dwelling when viewed from Burchmore Road. Also, as the rear addition sits within the existing building footprint the existing side setback to the northern boundary will be maintained.

Further, the visual impact on the rear elevation will not be significant as it sits within the existing building footprint and maintains the existing roof form of the dwelling and retains the existing side setback to the northern boundary (see Figure 13 below).

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

The shadow diagrams included with this application, demonstrate that the proposed development maintains equitable solar access to neighbouring properties. No additional overshadowing occurs as a result of the proposed addition and the reduced side boundary envelope.

A site visit has been undertaken and it is considered the proposal will not result in any view loss impacts. High level window sills are proposed on the north elevation.

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

The proposed development adequately responds to the topography of the site, in keeping with neighbouring developments.

Side Boundary Setbacks

Side setbacks of 900mm are permitted on the subject site by the DCP.

The existing development has a northern (side) setback of 0.956 metres and a southern (side) setback of 1.317 metres. The proposed development results in a nil setback to the northern boundary due to the external staircase which abuts the northern property boundary from ground level to upper levels. This staircase will provide safe egress in the event of a fire at the property. There is no change to the existing compliant southern boundary setback.

A variation to the northern side setback is considered appropriate in this case as the development will not result in any unreasonable amenity issues for neighbouring dwellings and remains consistent with the objectives of the control, despite the variation, as addressed below:

- *To provide opportunities for deep soil landscape areas.*

The proposed development complies with the overall landscaped open space area and private open space requirement prescribed by the DCP. Further, a 500mm area of deep soil planting is proposed along the entire northern side of the proposed swimming pool. Due to the steep fall of the site, down an impervious rock landform, on the northern side of the property it would be unlikely that an area of deep soil landscaping could be provided and maintained.

- *To ensure that development does not become visually dominant.*

The proposed stairs would be open and sit directly adjacent to the boundary fence, thereby not significantly adding to visual bulk on the site.

- *To ensure that the scale and bulk of buildings is minimised.*

As stated above, the proposed stairs will not be enclosed to minimise bulk and scale when viewed from neighbouring properties.

- *To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.*

The siting of the neighbouring dwelling to the north (further towards Burchmore Road) will ensure that a reasonable level of privacy and amenity is maintained (see Figure 14 below).

The open staircase will not result in any solar impacts.



Figure 13. The location of the adjacent dwelling to the north and the existing dense vegetation immediately adjoining the subject dwelling

- *To provide reasonable sharing of views to and from public and private properties.*

The open staircase will not affect views to and from adjoining properties.

Front Setback

A front setback of 6.5 metres is required by the DCP. The existing minimum front setback of 3.675 metres to the northern side if the dwelling house will remain unchanged. There is an existing 5.612 metre setback to the garage on the southern side of the dwelling.

The development proposes a shade sail carport in front of the existing single car garage to provide an additional parking space which is sun protected.

The shade structure will provide additional amenity to the residents of the dwelling by providing an additional carpark (thereby providing a compliant two spaces on site), with sun protection. The shade sail is not considered to be detrimental to the existing streetscape given the variety of architectural forms and building setbacks to front building elevations in the street. Many of the dwellings in the street have vehicle parking within the front setback. Further, the shade sail will not visually dominate the front façade of the existing dwelling given its lightweight form and being open on all sides.

It is noted that there is an existing shade sail carport located three houses north of the subject site at 46 Burchmore Road (see Figures 14 and 15 below).



Figure 14. Excerpt from Google Maps showing existing sail shade carport in the street.

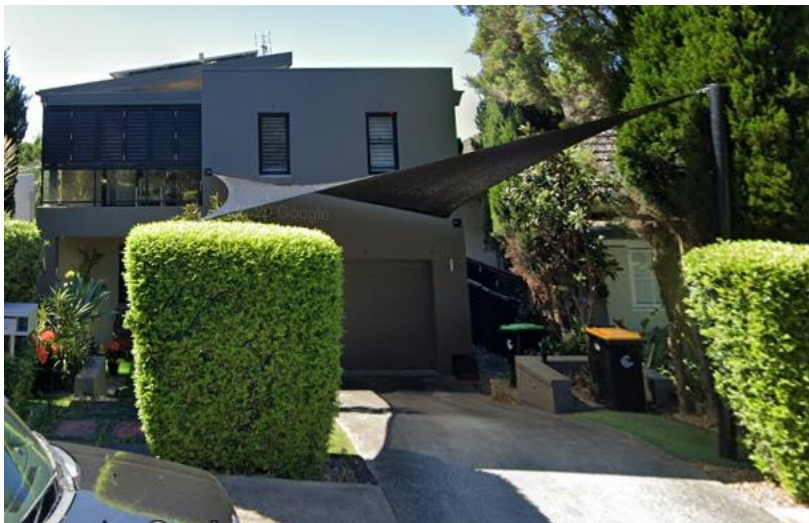


Figure 15. Excerpt from Google Maps showing existing sail shade carport in the street at 46 Burchmore Road.

Rear Setback

A rear setback of 6 metres is required by the DCP and a compliant rear setback of 34.93 metres is proposed.

Part C Siting Factors

Traffic, access and safety

The subject site currently has vehicular access from Burchmore Road to a single car garage and no change is proposed.

Parking facilities

The existing development has one enclosed garage space and there is room for an additional car to park in front of the garage, within the front setback. There are several examples of vehicle parking within the front setback of neighbouring properties. Although the proposed shade sail carport will be located in the front setback, it is significantly less than 50% of the building width DCP requirement.

Stormwater

Stormwater from the development will be connected to the existing system on the site.

Excavation and Landfill

Earthworks are proposed to prepare the site for construction of the swimming pool and landscaping works in the rear yard. Standard erosion and sediment control measures will be implemented and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

Demolition and Construction

Demolition of the existing dwelling is proposed, to allow for the construction of the proposed alterations and additions. All demolition and construction works will be undertaken as required by Council controls and compliant with any relevant conditions of consent.

Waste Management

Appropriate waste management will be undertaken during the demolition and construction process. All demolished materials will be recycled where possible which is detailed in the accompanying Waste Management Plan.

Part D Design

Landscaped open space and bushland setting

The DCP requires 40% landscaped area on the site which is equivalent to 294.28m² for the site area of 735.7m².

The development proposes a compliant landscaped area of 302.38m² or 41.1%.

Private open space

The DCP requires a minimum private open space area of 60m² per dwelling and the development proposes a compliant private open space area of 147.03m².

Noise

The development is appropriate and will not result in noise levels inappropriate to a residential area.

The site is not located in proximity to a noise sensitive land use.

Access to sunlight

At least 50% of the private open space of the subject site and the adjoining dwellings are required to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 by this clause DCP.

The proposed works result in minimal additional solar access impacts. There will be no overshadowing to the principal areas of landscaped open space within the neighbouring properties. The following observations are made of the shadow diagrams included with this application:

9am – The development will result in a minimal increase in shadowing to the subject site.

12pm – The development will result in a minimal increase in shadowing in the rear yard of the southern neighbour

3pm – The development will result in a very minimal increase in shadowing to the southern neighbour.

It is concluded that the private open space of the subject site and the adjoining properties maintain compliant solar access, with direct sunlight available to more than 50% of the rear yard for a minimum of 3 hours between 9am and 3pm during the winter solstice.

Views

A site visit has been undertaken and it is considered the proposed alterations and additions will not result in any view loss impacts.

Privacy

Privacy will be retained with a number of privacy measures, including existing boundary fencing adjacent to the new swimming pool, a 1.8 metres barrier adjacent to the spa at first floor level and offset windows and high sill heights within the northern building elevation of the rear addition.

The stair case provided on the northern side boundary is screened from view of the neighbouring site due to siting away from the dwelling and existing vegetation.

Building Bulk

The proposal will retain the character of the existing dwelling on the site and the building bulk remains appropriate for the site topography and lot size. The scale of development on the site is consistent with surrounding development and will not be to the detriment of the site or neighbouring properties. The roof pitch of the proposed rear addition matches the roof pitch of the existing dwelling at first floor level.

Building Colours and Materials

The proposed building materials include timber framed construction of the rear addition, with a tiled roof to match existing. All materials and finishes are complementary to the coastal and residential surrounds and are consistent with a modern finish.

Roofs

The new works propose a timber framed roof with an appropriate pitch of 25° to match existing.

Glare & Reflection

Materials have been chosen to ensure no glare or reflection issues.

Site Facilities

The development provides all site facilities, including appropriate waste, recycling areas and drying facilities.

Swimming Pools and Spas

A new swimming pool is proposed within the rear yard and a spa within the south eastern corner of the existing rear first floor balcony. The construction of the swimming pool does not result in the removal of any significant trees or vegetation.

Side and Rear Fences

No change is proposed to existing fencing.

Safety and Security

An ability to view the street frontage will be retained allowing for casual surveillance which is to the benefit of the safety and security.

Conservation of Energy and Water

The design has achieved a compliant BASIX Certificate which accompanies this application.

Part E: The Natural Environment

Preservation of Trees or Bushland Vegetation

No trees are to be removed or detrimentally impacted as a result of the proposed development.

Wildlife Corridors

The subject site is not mapped as a wildlife corridor.

Native Vegetation

The subject site is not mapped as native vegetation.

Retaining unique Environmental Features

No unique environmental features will be impacted by the proposal.

Development on land adjoining public open space

The subject site is not mapped as land adjoining public open space.

Waterways and Riparian Lands

The subject site is not mapped as waterways and riparian land.

Landslip Risk

Half the site is located in the area nominated the LEP maps as Area A – Slope < 5° (at the rear) and the remaining half as Area B – Flanking Slopes from 5 to 25° (at the front).

A Geotechnical Report is attached to this development application package. The report concludes that the proposed development is considered to be suitable for the site.

6. Numerical Control Table

The following table provides a summary of the development proposal, in accordance with the relevant numerical planning controls contained in the Warringah LEP 2011 and the Warringah DCP 2011.

	Standard	Proposed	Compliance
Warringah LEP 2011			
Lot Size	600m ²	Existing 735.7m ²	Yes – no change
Building Height	8.5 metres	9.223 metres	No – Clause 4.6 required for new master bedroom at first floor
Floor Space Ratio	Not identified	-	-
Warringah DCP 2011			
Wall Height	7.2 metres	7.861 metres	Yes – no change
Number of Stories	Not identified	-	-
Side Boundary Envelope	4 metres / 45 degrees	Breach on northern side	No
Site Coverage	Not identified	-	-
Side Boundary Setbacks	0.9 metres	Existing 0.956 metres (north) – 0 metres proposed due to external stairs Existing 1.317 metres (south) – no change	North setback – non-compliance, merit assessment required Yes
Front Boundary Setback	6.5 metres	Existing 3.675 metres – no change	Yes – no change
Rear Boundary Setbacks	6 metres	Existing 32.295 metres	Yes – no change
Parking	2 spaces	2 spaces existing including single car garage and compliant car space in front of garage in driveway	Yes
Landscaped Open Space and Bushland Setting	40% of lot area (294.28m ²)	Proposed 41.1% (302.38m ²)	Yes
Private Open Space	60m ² Minimum dimensions of 5 metres	Proposed 147.03m ²	Yes

	Standard	Proposed	Compliance
Solar Access	3 hours sunlight to 50% of POS of both subject site and adjoining properties between 9am and 3pm on June 21.	Additional shadows compliant.	Yes

7. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

7.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Warringah LEP and DCP.

The development is permissible in the R2 zone.

7.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Context and Setting

What is the relationship to the region and local context in terms of:

- *the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement, appendices and attached specialist reports.

What are the potential impacts on adjacent properties in terms of:

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The proposed development has been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

No conflict or issues will arise as a result of the proposed development.

Public domain

The proposed development will not impact the public domain.

Utilities

There will be no impact on the site, which is already serviced.

Flora and fauna

There will be no impact.

Waste

There will be no impact.

Natural hazards

A Geotechnical Report is attached which concludes the proposed development is appropriate for the site.

Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed development is appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and is well suited to the coastal and residential environment.

How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia. Additionally finishes, building materials and all facilities will be compliant with all relevant Council controls.

Construction

What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

7.3 The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the development proposed.

7.4 Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

7.5 The public interest

It is considered that the proposal is in the public interest as it allows for appropriate use of the residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

8. Conclusions

- 8.1 The proposed development for alterations and additions to an existing dwelling house, including new swimming pool and spa, at 52 Burchmore Road, Manly Vale is appropriate considering all State and Council controls.
- 8.2 When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 8.3 Considering all the issues, the development is considered worthy of Council's consent.