

**STATEMENT OF
ENVIRONMENTAL EFFECTS**



PROPOSED ENTRY PORTICO

FOR

MS MANDY SYMONS

**28 GRANDVIEW GROVE
SEAFORTH**

FEBRUARY 2021

Table of Contents

	Page Number
1.0 Introduction	3
2.0 Locality and Site	4
3.0 Proposal	7
4.0 Development Controls and Policies	8
5.0 Evaluation Pursuant to Section 79C of The Environmental Planning and Assessment Act, 1979	9
5.1 Environmental Planning Instruments	9
5.2 Draft Environmental Planning Instruments	11
5.3 Development Control Plans	13
5.4 Matters Prescribed by Regulations	15
5.5 Social and Economic Impacts	15
5.6 Suitability of The Site	15
5.7 Submissions Made in Accordance with the Act or Regulations	16
5.8 Public Interest	16
6.0 Conclusion	17

1.0 INTRODUCTION

This statement of environmental effects accompanies a development application for a proposed entry portico as an addition to the existing pedestrian entry to 28 Grandview Grove, Seaforth (Lot 2 DP 859638).

The purpose of this report is to describe the proposed development and review the relevant planning requirements relating to the proposal. It provides an assessment of the proposed works in terms of the Evaluation Criteria prescribed under Section 79C(1) of the Environmental Planning and Assessment Act, 1979.

The merits of the proposal are considered in terms of the relevant Northern Beaches Council planning instruments, codes and policies.

2.0 LOCALITY AND SITE

The property is located within the Manly Locality of the Northern Beaches Council and is shown as Zone 'R2 'Low Density Residential' on the land zoning map. The land is a slightly sloping south facing block. The southern boundary is bounded by Grandview Grove and the property shares its western boundary with No 30 Grandview Grove, its northern boundary with 28A Grandview Grove and its western boundary with a shared driveway for properties 26, 26A, 28 and 28A vehicular access. The site contains an existing two storey rendered and weatherboard clad residence, double garage and driveway, paved areas and paths, plus general garden areas.

The proposed portico is permissible with development consent under LEP 2014, although is not compliant with front and side setback requirements. The land is suitable for the use proposed.



Locality Map. Source – Google Map
[Site is shown with red marker]



Image 1 – View north-west showing property frontage with existing pedestrian entry with front wall, containing light, letterbox and house number



Image 2 – View north down the shared driveway and towards the existing double garage at the back and the residence entry at the left. The proposed entry portico would be located in the area of the current pedestrian entry walling, extending slightly west to align with existing eastern house facade.



Image 3 – View north onto existing entry path and front door beyond.



Image 4 – View south across the existing entry path and front walling.

3.0 PROPOSAL

The proposal is for a front entry portico, of nom 1500(depth)x3600(width)x3000mm(height) dimension, with two north-south full depth rendered and painted blade walls and a half depth central blade wall and flat roof over with circular cut-out to eastern roof section. The portico shall be located in the front south-east corner of the property, aligning with the existing eastern entry boundary wall, southern extent of the existing boundary entry walls and west in alignment with the existing eastern house facade.

Half of the portico floor area shall be garden (eastern half), with the other half housing the relocated and reduced width entry path. The eastern garden shall be extended out into Council land with the removal of the existing brushed concrete section between the front boundary and the existing Council path. A new brushed concrete section shall be installed to front of the relocated entry path (western half of proposed portico), as a connection with the existing Council path.

The current entry is insufficient in providing security and privacy to the entry area, the front door area and specifically the front garden. It is the owners request to have a better barrier, increased safety, as well as the desire to make better use of the front garden area, by creating a more private and intimate setting in which to feel comfortable and secure.

The proposed portico is well integrated into the current entry setting and with its north-south blade walls, being perpendicular to the street frontage, will appear as a lightweight landscape structure. In addition, the newly created portico garden to the eastern base of the portico, and extended to the Council footpath, will provide for more appealing green space, a softening of the entry space and a visual feature. The proposed tree that will grow through the portico roof opening, will help ground the portico structure, as well as the residence structure beyond. Existing screen plantings of Murraya and Buxus to either side of the proposed portico structure will further screen and soften the outer portico side blade walls.

The western section of the portico shall be fitted with a nom 1250mm high double picket gates that are set back nom 750mm of the front boundary and the internal face of the western blade wall shall house intercom, letterbox, light and house number. The eastern section of the portico shall receive a nom 1250mm high masonry screen wall at its northern

extent and be set back nom 1300mm from the front boundary.

120

The portico will not impact or alter the functionality to the adjacent shared driveway for its users in any way, as viewpoints to road way will remain as is

Existing garden areas at the front boundary and along the entry path, will be supplemented with additional planting in the existing formal Hamptons planting style.

The aim of the proposal is to create a secure and private recreational and visual asset that integrates with the existing residence and landscape, thereby satisfying the requirements of the owner, whilst at the same time ensuring minimal impact on the neighbouring properties and the surrounding environment, and resulting in more privacy to all parties.

The proposed landscape development of the front entry portico is sensitive to the inherent qualities of the property and its setting, as well as to the inherent qualities of the adjacent properties, the adjacent shared driveway, and has been designed so as to integrate well with the form and features of the site. The proposal does not impact on any views, scenic qualities or characteristics of the area.

The proposed development does not comply with Council's requirements in relation to front and side set back, but does so with all other requirements as further outlined herein.

4.0 DEVELOPMENT CONTROLS AND POLICIES

The Manly Local Environment Plan 2013 (MLEP 2013), current version of 1st February 2021, (The LEP) is the statutory planning instrument that establishes what forms of development and land use are permissible and/or prohibited on all land within the Northern Beaches Local Government Area. MLEP 2013 is made up of the written instrument and a series of maps.

Manly Development Control Plan 2013 (MDCP 2013) is a policy document with current

version 28 August 2017. The DCP provides the detailed objectives and planning guidelines to guide various forms of development in the Northern Beaches Local Government Area. The Development Control Plan Maps identify which land parcels in the Northern Beaches Council area are subject to certain controls, conditions and policies.

5.0 EVALUATION PURSUANT TO SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

5.1 ENVIRONMENTAL PLANNING INSTRUMENTS

Permissibility

The land is located within Zone R2 'Low Density Residential' on the MLEP 2013 Zoning Map. The proposed entry portico is permitted within this zone, although is none compliant with rear and side setbacks. Nonetheless, it is within the framework and existing precedents of this local neighbourhood, with regard to structures built within the front setback. As shown in the Appendix, numerous existing structures, like porticos, garages, carport and swimming pools exist, that are built into the front and side setback of properties in this neighbourhood.

State Policies and Sydney Regional Planning Instruments

Clause 4.6 of the Standard Instrument Local Environment Plan (SI LEP);

The aims and objectives of this policy are to provide flexibility in the application and assessment of development standards in circumstances where strict compliance with those standards would in the circumstances of a particular case, be unreasonable and unnecessary and may tend to hinder the attainment of the objectives specified in Section 5 (a) (i) and (ii) of the Environmental Planning and Assessment Act, 1979.

Clause 4.6 of the Standard Instrument Local Environmental Plan does apply to the subject development application in relation to the entrance portico setback from Grandview Grove and the eastern boundary and shall be dealt with in detail on

under Clause 4.6 below.

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

The object of this Policy is to provide a state-wide approach to the remediation of contaminated land for the primary purpose of reducing the risk of harm to human health or any aspect of the environment.

Clause 7 of the SEPP is relevant and outlines the matters for consideration by a consent authority in determining a development application.

Our investigations have confirmed our understanding that the subject land has in the past been used exclusively for residential purposes and there is no history to suggest any contaminating uses previously occurred on the site. We are unaware of any contaminated fill having been imported onto the site.

Council can therefore be satisfied that the land is not contaminated and therefore that no remediation of the land is required.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The object of this Policy is to provide a state-wide code to pre-specified standards in relation to dwelling developments, home extensions and ancillary structures and how they can proceed as complying development, and in relation to small scale structure associated with dwellings, how they can proceed as exempt development.

Proposed changes to the front entry path, addition of a 1200mm high picket fence to the front boundary and supplementary plantings (not forming part of this development application) are permissible under the SEPP Exempt & Complying Development Code. The proposed front entry portico, due to its proposed height and location adjacent to the front southern and eastern side boundaries, does not have the necessary setback that is required under the Exempt & Complying Development Code.

5.2 LOCAL ENVIRONMENTAL PLAN

Manly Local Environmental Plan 2013 (MLEP)

The provisions of the Manly Local Environmental Plan 2013 (MLEP 2013) have been assessed and the following relevant items have been considered and addressed:

Part 2 Permitted and prohibited development

The land is located within Zone R2 'Low Density Residential' on the MLEP 2013 Zoning Map. The proposed entry portico is permitted within this zone, although is none compliant with rear and side setbacks.

The proposed development is consistent with the objectives of this zone and is compatible with the residential character and amenity of the locality

Part 4 Principal Development Standards

Clause 4.6 Exceptions to Development Standards

The aims and objectives of this policy are to provide flexibility in the application and assessment of development standards in circumstances where strict compliance with those standards would in the circumstances of a particular case, be unreasonable and unnecessary and may tend to hinder the attainment of the objectives specified in Section 5 (a) (i) and (ii) of the Environmental Planning and Assessment Act, 1979.

The project site fronts Grandview Grove, with the front door of the existing building being accessed by a pedestrian path from this road way. The entry portico, with additional security features, is proposed to be along part of the southern front and part eastern boundaries, aligning with the current existing boundary walling on the eastern side and extending a further 700mm west past the existing front walling, to align with the existing eastern house façade in order to line up with the proposed changes to the front entry path.

The proposed portico does not comply with the front setback and the site setback, however these setbacks for buildings and structures is found to be too excessive in relation to an entry portico, a structure that from its functionality is designed to be located at the front lot boundary.

The portico structure is proposed to be consisting of 2 off end blade walls of 200mm

thickness and 1500 depth and 3000mm height, with a third, set-back, central blade wall, of half the depth for structural support of the roof. The blade walls shall have a 200mm thick flat roof over with a circular opening in the eastern roof section. The eastern portico section shall have a 1250mm high screen wall on the northern end and the western portico section shall have a 1250mm high picket double gate, to provide the added barrier and security sought by the owners.

The western portico floor will house the reduced width entry path and the eastern portico side shall be developed as a feature garden. Due to the arrangement of the blade walls being placed perpendicular to the street frontage, visually from the roadway the structure will appear open and light. Furthermore, the portico feature garden and the existing screen plantings to either side of the proposed portico, will soften the structure, ground it into the landscape and connect it with the exiting gardens. The proposed portico will provide a point of arrival, a secure barrier, and increased privacy to the front entry path, front door and internal open plan house entry and living areas (when front door is left open) and in particular to the front garden lawn area. Additionally, the portico will provide a weatherproof arrival point and barrier, with a new intercom and additional lighting, that removes exposure to and intrusion by strangers walking up to the front door and/or into the front garden.

The proposal still complies with all of Council's objectives for this control. Strict compliance with the control would render the use and functionality of the front garden unsafe and exposed, as is currently the case.

If shifting the proposed structure north to comply with the control, the area south of the structure would feel disjointed and no longer visually connect with the new front boundary picket fence (to be carried out under Exempt and Complying). Furthermore, the portico structure would feel like crowding the existing house structure and encroach on the connection and flow between the entry path and the steps leading onto the front lawn.

We like to note that there are numerous precedents in the surrounding area of properties where roofed structures have no or little setback from a primary street frontages, with many of these structures being far more solid and massive in construction and visually more impactful, than what is proposed.

We have recorded the following property addresses that have existing detached or attached roofed structures that are located straight on or very close to the boundary line with a primary or secondary street frontage:

Grandview Grove - Please see images in the addendum

No 9 / 12 / 17 / 23 / 25

Ellery Parade - Please see images in the addendum

No 13 / 29 / 31 / 33 / 35 / 39 / 88

Dalwood Avenue- Please see images in the addendum

No 8

Peacock Street - - Please see images in the addendum

8 / 12 / 30 / 36 / 40 / 51 / 72 / 100

Part 6 Additional Local Provisions

Clause 6.1 Acid Sulphate Soil and 6.8 Landslip Hazard

This site is not located within a landslip hazard area or affected by acid sulphur soils, and as such is fully compliant.

Clause 6.5 Terrestrial Biodiversity

This site is not located within a terrestrial biodiversity area. In actual fact there are no naïve plants existing this site. There will be no changes to existing wildlife and as such the proposal is fully compliant.

5.3 DEVELOPMENT CONTROL PLANS

Manly Development Control Plan (the DCP)

The following provisions of the Northern Beaches Development Control Plan (the DCP) are relevant:

3.1.1 Streetscape (Residential Area)

The street and the immediate neighbourhood has a considerable mixture of traditional, as well as modern and contemporary style houses. As such the proposed portico has been designed so as to reflect the existing building's style and

character, with matching rendered finish and paint colour, as well as a flat roof that mimics the shape of the existing L-beam pergola over the entry path and the horizontal awning over the entry door beyond. Additional planted gardens under the portico will add to the gardenesque quality of the streetscape.

3.2 Heritage Consideration

This site is not located within a Heritage Conservation area, nor in the vicinity of any heritage item. Consideration has been given although, to reflect and integrate the proposed development to the existing building character, materials and colour.

3.3 Landscaping

The proposal will enhance property's street appeal, together with the front entry and front garden green spaces. Supplementary plantings to the existing Hampton's style garden will occur along the front entry path and in the portico garden. A new tree for the portico garden will be in keeping with the existing Hampton's style garden and be implemented under Exempt and Complying Development.

3.4 Amenities

The proposal will not impact on any amenities, including views, loss of sunlight, privacy and noise. The proposal will in actual fact improve privacy for all.

3.6 Accessibility

There will be no changes to accessibility.

3.7 Stormwater Management

There will be no changes to stormwater.

3.8 Waste Management

Waste will be kept to a near minimum. Existing masonry walling and footings will be demolished and transported to a recycling facility for reuse in road construction.

4.1.3 Floor Space Ratio (FSR)

The gross floor space remains as existing at 228.97m², which is far below the allowable GFS of 263.43m². The proposal is fully compliant

4.1.4 Setbacks

The existing building setbacks are fully compliant. The noncompliant setback of the portico landscape structure is dealt with under 4.6 of 5.2 Local Environmental Plan above.

4.1.5 Open Space and Landscaping

Open space will stay as existing at just over 420m²., which is well above the required 322m². Landscape area will remain at 210m², which again is above the required 205m² required. The proposal is fully compliant

5.4 MATTERS PRESCRIBED BY THE REGULATIONS

There are no additional matters outlined in Clause 92(1)(b) of the Environmental Planning and Assessment Regulation 2000 that need to be considered.

5.5 THE LIKELY IMPACTS OF THE PROPOSED DEVELOPMENT ON BOTH THE NATURAL AND BUILT ENVIRONMENT, AND THE SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY

There will be no significant impacts on the natural or built environment arising from the proposed upgrade and alteration works.

It is our considered opinion, as landscape architects that the proposal represents an appropriate addition to the existing residence to the front of the property.

The development will not result in any social or economic impacts on the locality.

5.6 THE SUSTAINABILITY OF THE SITE FOR DEVELOPMENT

The site has a long history of residential use, and the continued use of the land for

residential purposes for a dwelling house is an appropriate use of the land consistent with the residential zoning.

In this circumstance, the site is considered to be very suitable for the continued use for residential purposes as proposed.

5.7 SUBMISSION MADE IN ACCORDANCE WITH THE ACT OR REGULATION

The proposal is not an integrated development.

The site is not located in a bushfire prone area.

5.8 THE PUBLIC INTEREST

The public interest is considered in terms of compliance with the relevant planning controls applicable to the proposed development.

The continued use of the land for residential purposes is consistent with the objectives for the residential zone and the desired future character for this area.

The proposal is in principle consistent with the relevant objectives and development standards.

The proposal will not result in any adverse impacts on the amenity of the neighbouring properties.

The proposal represents an appropriate and desirable improvement to the function, amenity and security of the property. It is a design that is compatible with the built form and character of the area and the surrounding residential development. The proposal will not adversely impact on the existing landscape nor any natural features of the site.

It is our opinion that there are no discernible issues relating to the proposed development that would be contrary to the public interest.

6.0 CONCLUSION

The proposed front entry portico has been designed in a manner that shall ensure that it is successfully integrated with the existing residence and into the existing property. Any potential for adverse impact has been mitigated, giving due consideration to the requirements of the Manly Council LEP 2013 and Development Control 2013.

The form and design of the proposal is responsive to the particular site conditions. It represents an appropriate form of development that will maintain and enhance the visual appearance of the property.

There will be no unacceptable impacts on the existing locality, visual character when viewed from a public place, or amenity of neighbouring properties.

Whilst the setback requirements are not fully met, the objectives for the code are achieved. As outlined, the development satisfies all other relevant development controls and/or Council's stated aims and objectives.

The form and design of the proposal is responsive to the Clients' brief and to the specific site conditions that exist. In our opinion it represents an appropriate form of development that will maintain and enhance the visual appearance and amenity of the residence and surrounding environment.

We understand that this application will be judged on its merit and we request that Council view this well considered application favourably.

Conny Kollmann
Senior Landscape Architect

ADDENDUM

Existing properties in the vicinity that have structures that are located within the front setback of a primary or secondary setback or are located on the front street boundary of a primary or secondary road.



25 Grandview Grove



23 Grandview Grove



19 Grandview Grove



17 Grandview Grove



17 Grandview Grove



12 Grandview Grove



9 Grandview Grove



13 Ellery Parade



29 Ellery Parade



31 Ellery Parade



33 Ellery Parade



35 Ellery Parade



39 Ellery Parade



39 Ellery Parade



88 Ellery Parade



3 Dalwood Ave



100 Peacock Street



72 Peacock Street



51 Peacock Street



40 Peacock Street



36 Peacock Street



30 Peacock Street



30 Peacock Street



12 Peacock Street



8 Peacock Street