

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED ALTERATIONS AND ADDITIONS TO AN EXISTING RESIDENCE AT 29 CONDOVER STREET, NORTH BALGOWLAH

LOT 406 DP 14137

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1) Introduction

This Statement of Environmental Effects accompanies documents prepared by Action plans, Drawing numbers DA 1 – DA 20 dated May 2023 to detail proposed alterations and additions to an existing dwelling at 29 Condoover Street North Balgowlah.

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. As a result of this assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of support by Council.

In preparation of this document, consideration has been given to the following:

- # The Environmental Planning and Assessment Act 1979 as amended*
- # The Environmental Planning and Assessment regulation 2000*
- # State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- # Warringah Local Environmental Plan 2011*
- # Warringah Development Control Plan 2011*
- # Warringah development Control Plan Map 2011*

2) Site characteristics and description

The subject allotment is described as 29 Condoover Street, North Balgowlah , within Deposited Plan 14137 and lot 406. It is located in R2 Low Density Residential

The site has an area of 557sqm

The site is not listed as heritage or in a conservation area.

The site is located in a bushfire prone area and in area A and Area B of the slip zone.

The property addresses Condoover Street to the south west.

The site is currently developed with a one and two storey timber dwelling with a tile pitch roof.

An inground pool is located to the rear of the site with a paved area that surrounds it, as well as a small timber deck located to north east of the pool.

Driveway access is located along the south side of the property with an access from Condoover Street.

There are 2 existing off street tandem parking along the existing steep driveway.

Vegetation consists of mixed endemic and introduced species with areas of lawn to the front and rear of the property.

Front, side and rear set backs slightly vary throughout the streetscape and that of adjoining dwellings.

The general vicinity of the site is characterised by a mix of residential dwellings with one and two storeys and a variety of architectural styles. The varying age of the development in the area has resulted in a mix of materials and finishes, with the development in the area generally presenting a variety setback to the public domain.

The site has a fall from the front boundary (SW) down to the rear boundary (NE) of approximately 5.0m.



3) The Proposal

Description

As detailed within the accompanying plans, the proposal seeks consent for alterations and additions to an existing dwelling. It provides compliance with the Warringah Development Control Plan 2011 and Warringah LEP 2011 with a slight exemption to the building height. A new addition is proposed to the south side of the existing dwelling and a new double carport is proposed to the front of the dwelling.

The proposed alterations and additions consist of the following:

LOWER GROUND FLOOR LEVEL

New storage area is proposed adjoining the existing workshop

GROUND FLOOR LEVEL

New bedroom and office addition is proposed to the south side of the house.

Existing entry repositioned.

FIRST FLOOR LEVEL

New second smaller office is proposed off the rumpus room.

DOUBLE CARPORT

A new double carport is proposed. The open carport will be a low level structure at ground level. The carport will maintain the existing sense of openness across the site and along the streetscape.

Currently It is difficult to manoeuvre cars in and out of the single width driveway and also the steep incline, it is therefore proposed that a double carport be built, located to the front of the dwelling and raised to the level of the street to create a level double parking area, with an easier access to the site.

It is noted that the subject site falls from the street frontage towards the rear of the site (most notably and steeply, within the front setback) making parking difficult and also reversing up from the property.

A jacaranda tree on the street will need to be removed. A new tree located near the new driveway is proposed

There are other carports built to the front boundary addressing the same streetscape.

There will be no affect on neighbouring properties due to the proposed alterations and additions.

Considerations has been given to bulk and form.



NO. 33 CONDOVER STREET- DOUBLE CARPORT TO THE FRONT.



OTHER NEIGHBOURING GARAGES IN THE STREETScape ON CONDOVER STREET

4) Zoning and Development Controls

4.1 Warringah Local Environmental Plan 2011

The site is zoned R2 Low Density Residential under the provisions of the WLEP 2011. The proposed alterations and additions and a detached double carport to the existing dwelling are permissible with the consent of council.

4.2 Height of Building (LEP 4.3)

The control for this parcel of land is a maximum building height of 8.5m.
Portion of the proposed roof addition is above the 8.5m building height requirement.
Currently the portion of the roof to the existing dwelling contravenes the 8.5m building height. It is requested that this slight non compliance be supported as it follows the existing established hip roof.

REFER TO 4.6 CLAUSE

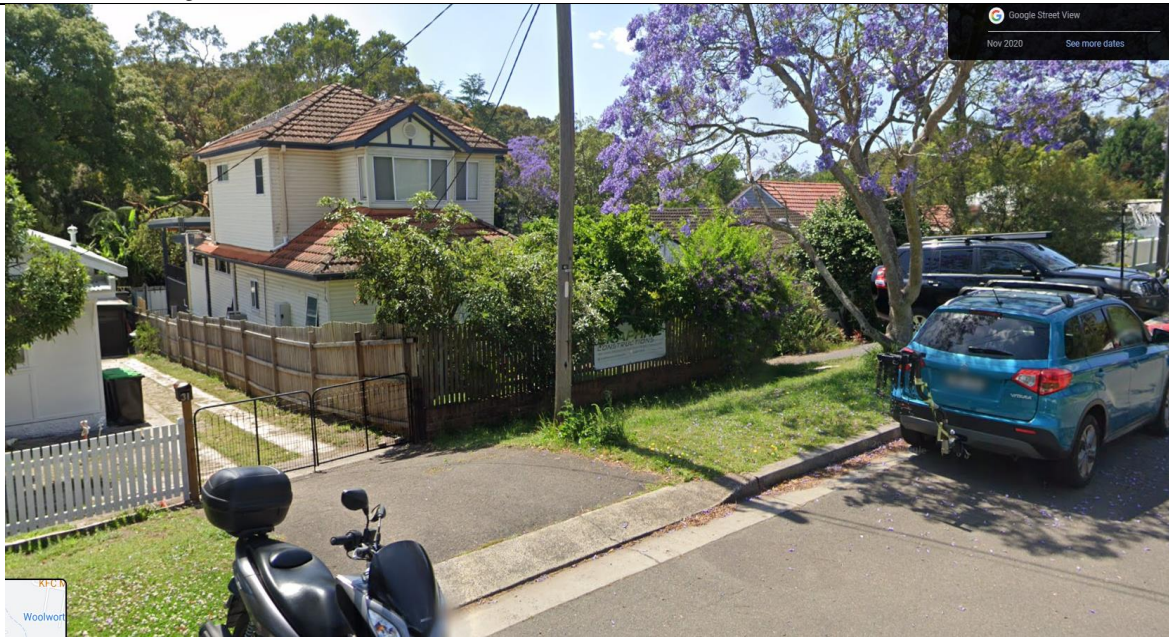
4.3 General Principles of Warringah Development Control Plan 2011

The proposed development responds to the characteristics of the site and the qualities of the surrounding neighbourhood in a sympathetic and positive manner.

The bulk of the proposed development is modest keeping with the bulk and scale of neighbouring two storey developments in the surrounding streetscape.



VIEW LOOKING NORTH FROM CONDOVER STREET PROPOSED ADDITION TO THE RIGHT HAND SIDE OF THE EXISTING DWELLING AND A DOUBLE CARPORT TO THE LEFT.



VIEW LOOKING EAST FROM CONDOVER STREET. PROPOSED NEW DOUBLE CARPORT.
JACARANDA TREE TO BE REMOVED

Built Form Controls

WALL HEIGHT (DCP B1)

The max. wall is 7.2m

The proposed addition to the south side complies with the max. wall height control.

SIDE BUILDING ENVELOPE (DCP B3)

The side building envelope control is a height plane of 4 metres along the side boundary and with a projection of 45 degrees.

Majority of the proposed addition complies with the side building envelope, only a small portion of the first floor, south facing wall will contravene the side building envelope with a triangular portion, min 300mm above and max. 1.05mm above the building envelope.

It is requested that this slight non compliance be supported as it follows existing established building and the site falling towards the rear, creating the non compliance. The proposed addition will not affect adjoining properties in view loss, privacy loss or solar loss.

SIDE SETBACKS (DCP B5)

Warringah DCP control for side setback is a min. 900mm.

The proposal provides compliance with Warringah Development Control Plan 2011.

South side setback – Ground floor addition– varies between – 1.159m –1.176m– COMPLIES

South side setback – first floor addition – --varies between – 1.951m – 1.958m –COMPLIES
No changes to the north side boundary setback to dwelling

Carport

North side setback – varies between – 600mm – 610mm

It is requested that this slight non compliance be supported as it will not affect adjoining neighbouring properties. The carport has been located in a way that it provides a compliance with landscaping.

Other carports in the streetscape are located closer than 900mm to the side boundary, no.33 Conover St is one example as shown in photo above.

FRONT BOUNDARY SETBACK (DCP B7)

Warringah DCP control to the front setback a minimum of 6.5m or an average of the adjoining properties.

The proposed addition to the existing dwelling follows the existing established front setback of 7.6m –COMPLIES

Carport

Front setback varies between 291mm – 301mm

The proposed double carport which has been designed as a low open structure will not affect the existing sense of openness to the streetscape.

The proposed double carport encroaches upon the front setback due to pre existing structures and the steep topography of the site. Proposed and existing landscaping to the front of the site will reduce the visual impact when viewed from the street and from adjoining properties. The double carport is located at ground level of the streetscape and is designed to allow for reasonable visual quality to the streetscape and public places

It is requested that this non compliance be supported as it is difficult to strongly adhere to the front setback due to pre existing structures. It follows other established and new carports and garages in the streetscape. The proposed double carport will not affect adjoining properties in view sharing, solar access or privacy.

REAR BOUNDARY

Warringah DCP control is a minimum of 6.0m

There will be no changes to the existing rear setback.

The proposed addition meets and complies with Warringah DCP

Design

LANDSCAPED OPEN SPACE (DCP D1)

The minimum landscaped open space required is 40% of the site area.

Site area of this allotment is 557sqm

40% – require 222.80sqm

Existing landscaped open space is 165.61sqm – 29.73%

Proposed landscaped open space is 1665.57sqm – 29.73%

There will be no changes to the existing landscaping open space area.

Portion of the existing hard surface area (Driveway) along the south side boundary will be reinstated to lawn to compensate for the proposed additions.

Private Open Space (DCP D2)

Requirement is a total of 60sqm with a minimum dimension of 5m.

Existing private open space is located to the rear of the dwelling and directly accessible from the rumpus room and living areas. **COMPLIES**

Access to Sunlight (DCP D6)

No loss of daylight to main living areas in adjacent dwellings will be experienced as a consequence of this proposal. Adjoining properties will receive a minimum of 3hours of solar access. –**COMPLIES**

Views (DCP D7)

Neighbours views will not be affected by the proposed additions. –**COMPLIES**

Privacy (DCP D8)

There will be no loss of privacy, due to the proposed additions. No new windows have been provided to the south wall. –**COMPLIES**

Traffic , Access and safety – C2

A new concrete crossover and concrete layback has been proposed. Existing concrete crossover and layback to be reinstated to kerb and gutter.

Parking Facilities – C3

2 spaces per dwelling house required. Existing driveway to be reinstated to lawn and proposed new addition built over. Existing tandem parking to be removed.

A new double carport has been proposed to the front of the house and level with the street for easier parking and safer exit and access. Parking in accordance with AS/NZS 2890.1

Due to the steep slope of the site and the steeply sloping driveway, the tandem parking becomes difficult to manouvre cars in and out of the site in a reversing direction, also visibility exiting the site is difficult.

The proposed development complies with this control.

Stormwater – C4

To be provided in accordance with councils stormwater drainage design guidelines.

The proposal provides for all collected stormwater to be connected into the existing stormwater line

5) MATTERS FOR CONSIDERATION UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

5.1) The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011 and the Warringah Development Control Plan 2011 It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions

There are no other environmental planning instruments applying to the site

5.2) Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

It is not considered that there are any draft environmental planning instruments applying to the site.

5.3) Any development control plan

The development has been designed to comply with the requirements of the Warringah Development Control plan 2011 and the general principles of WLEP 2011

It is considered that the proposal respects the aims and objectives of the DCP, however it is noted that the Environmental Planning and Assessments Amendment Act 2012 No. 93 (amendment Act) which received assent on 21 November 2012 commenced on 1st March 2013.

Key amongst the amendments are requirement to interpret DCP's flexibly and to allow reasonable alternative solutions to achieve the objectives of the DCP standards.

The new section 74BA provides that the principal purpose of the DCP's is to provide guidance on:

- * giving effect to the aims of any applicable environmental planning instrument
- * facilitating permissible development
- * achieving the objectives of the relevant land zones

The key amendment is the insertion of section 79C(3A) which:

- * prevents the consent authority requiring more onerous standards than a DCP provides.
- * Requires the consent authority to be flexible and allow reasonable alternative solutions in applying DCP provisions with which a development application does not comply.
- * limits the consent authority's consideration of the DCP to the development application (preventing consideration of previous or future applications of the DCP).

We request that council applies considered flexibility where the application seeks variations to the numerical development controls in the DCP as justified in this report. In particular we consider that the variation to the front setback and side setback to the proposed carport is a reasonable solution to compliance as the proposal effectively responds to the site constraints.

It is considered that the proposed design respects the desired character objectives of the WDCP 2011 and WLEP 2011 in that it reinforces the existing and new residential character of the area and is compatible with the existing uses in the vicinity.

5.4) Any matter prescribed by the regulations that apply to the land to which the development relates

No matters of relevance area raised in regard to the proposed development

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

It is considered that the proposal, which seeks consent for alterations and additions to an existing dwelling and a double carport will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the WLEP 2011 and WDCP 2011.

5.6) The suitability of the site for the development

The subject land is in the low density residential R2 and the proposed development is permissible as category 1 and 10 development. The site is considered suitable for the proposed development. The proposal will provide for alterations and addition to an existing dwelling and a double carport without having a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

5.7) Submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

5.8) The public interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

Waterway and Riparian Land

There will be no affect upon the adjoining areas of the waterway and Riparian land due to the proposed addtions.

Land adjoining public Open space

There will be no affect upon the adjoining public open space due to the proposed alterations and addtions to the existing dwelling and a double carport.

Conclusion

The proposal will be consistent with, and compliment the existing detached style housing in the area

The proposed development respects the scale and form of other new and existing developments in the vicinity. The proposal does not have any significant impact on long distant views.

The proposal does not present any significant impacts on the privacy and solar access for the subject and neighbouring properties

The proposed alterations and additions will not have a detrimental impact on the adjoining properties or the locality.

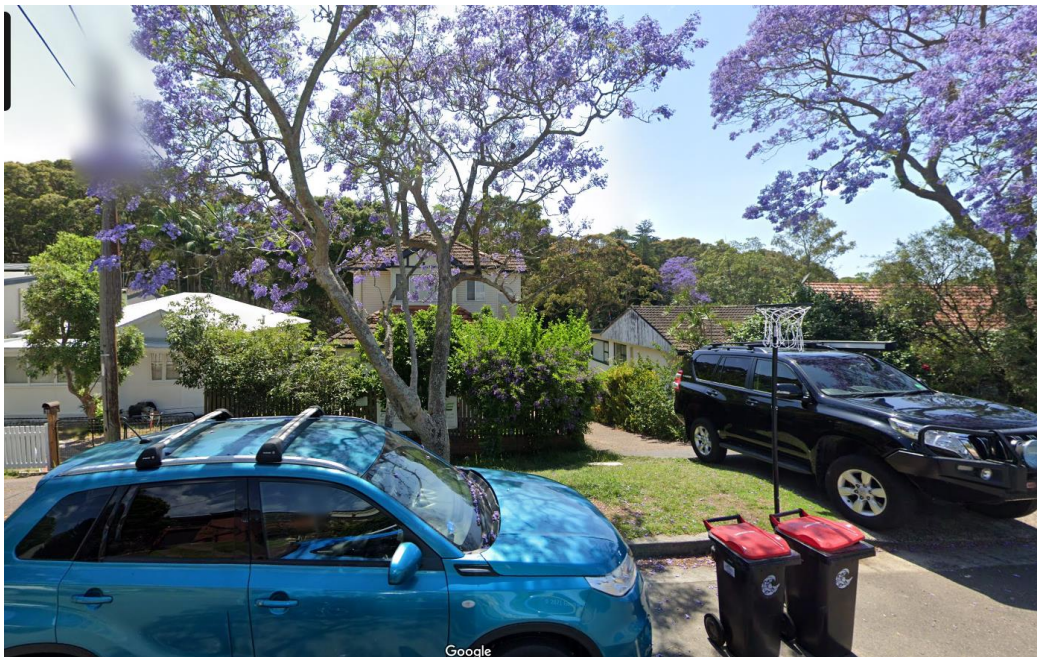
The proposed alterations and additions are in keeping with Warringah Development Control Plan 2011 and WLEP 2011.

There will be no effect on local fauna and flora.

As the proposed alterations and additions will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.



Street view looking north east. Proposed addition to the right hand side of the dwelling



VIEW OF SUBJECT SITE FROM CONDOVER STREET

SCHEDULE OF EXTERIOR FINISHES

WINDOW AND DOOR FRAMES TO MATCH EXISTING—WHITE

TILED ROOF -----To match existing

WALLS -----To match existing