



1 WINDERMERE PLACE, WHEELER HEIGHTS

**STATEMENT OF ENVIRONMENTAL EFFECTS
FOR ALTERATIONS AND ADDITIONS TO AN
EXISTING DWELLING HOUSE AND A SWIMMING POOL**



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 and a swimming pool at 1 Windermere Place, Wheeler Heights.
- 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 C.M.S. Surveyors
 - DA Drawings prepared by Action Plans
 - BASIX Certificate prepared by Action Plans
 - Preliminary Geotechnical Assessment prepared by AscentGeo
- 1.4 The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and the coastal setting 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 Windermere Place, at its intersection with Rose Avenue, being a corner allotment with two street frontages. It is legally described as Lot 29 DP 209826 and is known as 1 Windermere Place, Wheeler Heights.
- 2.2 It is an irregular shaped lot with a front boundary of 13.93 metres to Windermere Place, 4.32 metres at the northern corner (between the Windermere Place and Rose Avenue frontages), 32.92 metres (side and east boundary to Rose Avenue), 31.255 (side and west boundary) and 16.765 metres (rear and southern property boundary). Vehicular access to the existing driveway and garage is from Rose Avenue. The site comprises an area of 562.1m².
- 2.3 The site is currently occupied by a one and two storey brick and rendered dwelling with a tile roof. The site is relatively flat.
- 2.4 The property is surrounded by detached residential dwellings in all directions. with Wheeler Heights Public school located nearby. The site is also in close proximity to the shops on Veterans Parade and public transport services on Pittwater Road. Cromer Golf Club is to the west and Collaroy Beach to the east.



Figure 1. Aerial image of the subject site

Deep Creek Reserve

Sydney Academy of Sport and Recreation

Middle Creek Reserve

Wakehurst Pkwy

Wakehurst Pkwy

Oxford Falls

Oxford Falls Rd

1 Windermere Pl, Wheeler Heights NSW...

Narrabeen

Collaroy Plateau

Cromer

Carawa Rd

Winderera Rd

Fisher Rd N

Collaroy

Long Reef Beach

Narrabeen Beach

A8

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3. Site Photos



Figure 4. The existing dwelling, looking west from Rose Avenue



Figure 5. The site, looking from the intersection of Rose Avenue and Windermere Place



Figure 6. The front yard of the existing dwelling looking north to Windermere Place



Figure 7. Looking north, the existing undercroft area and lawn



Figure 8. The rear (southern setback) of the existing dwelling



Figure 9. Looking north the existing yard adjacent to Rose Avenue



Figure 10. Looking south east, the existing driveway and hardstand area, with access off Rose Avenue



Figure 11. Looking south, the northern elevation of the existing dwelling (and the existing balcony to be partially enclosed)



Figure 12. Looking south west, the existing balcony to be partially enclosed



Figure 13. Looking south, the western side setback and adjoining dwelling at 3 Windermere Place

4. Proposed Development

4.1 The proposed development is for alterations and additions to the existing dwelling house, including a swimming pool, at the subject site.

4.2 The proposed development has been designed to ensure that it compliments and improves the existing streetscape maintaining a scale consistent with existing dwellings in the locality.

4.3 The proposed development includes the following:

Garage Floor Plan

- New 14kl inground swimming pool
- Landscaping works
- Rainwater tank

Ground floor

- Extension across existing balcony (on northern and eastern sides)
- Reconfiguration of internal layout, including new:
 - Entry to dwelling
 - Living, kitchen (and pantry), dining areas
 - Ensuite and walk-in robe for master bedroom
 - Window and door openings
 - Staircase on western elevation providing access to dwelling

Roof

- New timber framed roof
- Five (5) new skylights

4.4 The proposed design has taken into consideration the location of neighbouring dwellings, including existing window openings and private open space areas.

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 (Biodiversity and Conservation) 2021 (formerly SEPP Vegetation in Non-Rural Areas 2017)

State Environmental Planning Policy (Biodiversity and Conservation) 2021 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. No significant trees are to be removed and the development is consistent with the provisions of the SEPP.

State Environmental Planning Policy (Resilience and Hazards) 2021 (formerly SEPP 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.

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. The proposed development is for alterations and additions to an existing dwelling. Dwelling houses are permissible with development consent in the R2 zone.

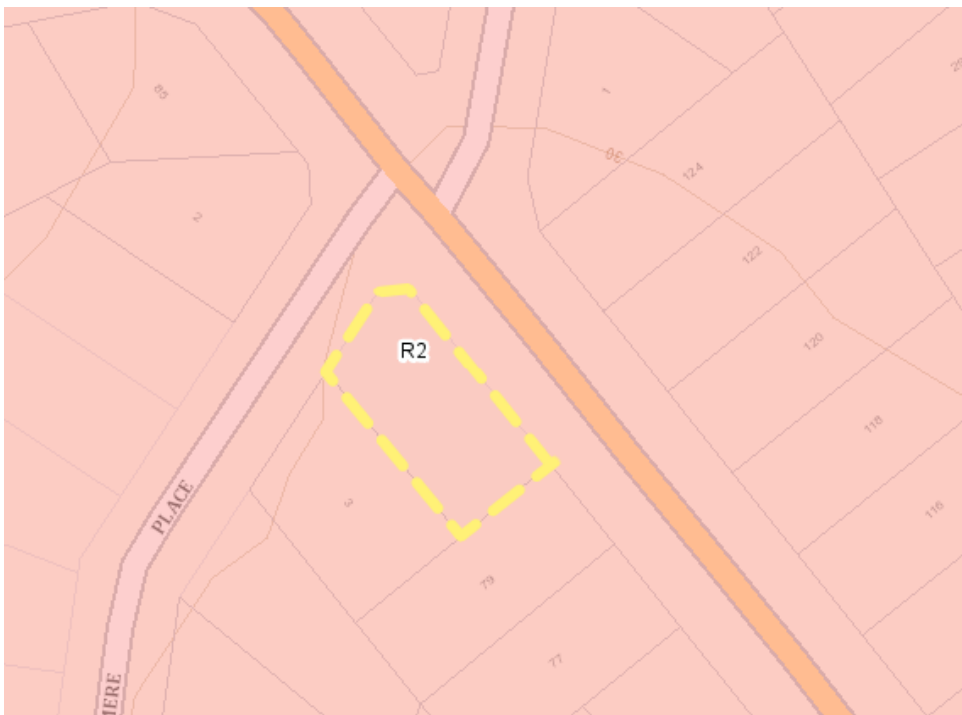


Figure 14. Extract from Warringah LEP 2011 Zoning Map

Demolition

Demolition works are proposed, as illustrated in the attached DA plan set, to allow for the construction of the proposed alterations and additions.

Minimum Lot Size

The site is mapped with a minimum lot size of 600m². The subject site comprises an undersized area of 562.1m² 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 compliant maximum height of 6.591 metres.

Heritage Conservation

The property is not a heritage item, located within a heritage conservation area or located near any heritage items.

Acid Sulfate Soils

The site is not located in an area nominated as Acid Sulfate soils.

Earthworks

Earthworks are proposed to prepare the site for construction of the new swimming pool and landscaping works within the front setback. 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.

Development on Sloping Land

The site is located in the area nominated the LEP maps as Area D – Flanking slopes (Collaroy Plateau area). Accordingly, a Preliminary assessment of site conditions has been prepared and is attached to this development application package.

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 development proposes a compliant maximum wall height of 4.44 metres to the underside of the ceiling on the eastern elevation and 4.41 metres on the western elevation.

Side Building Envelope

The site requires a side boundary envelope of 4m/45°. The development proposes a built form within the required side boundary envelope.

Side Boundary Setbacks

Side setbacks of 900mm are required by the DCP. The existing dwelling has compliant side setbacks, including 1.02m (south elevation) and 1.9 metres (west elevation) and no change is proposed.

The proposed pool will be setback a compliant 3.062 metres from the western (side) boundary.

Front Setback

A front setback of 6.5 metres is required by the DCP. The front setback is applicable to both the primary street frontage, Windermere Place and the secondary street frontage, Rose Avenue. The existing front setback to Windermere Place is 8.936 metres to the balcony on the northern elevation and no change is proposed. The existing front setback to Rose Avenue is 6.077 metres and no change is proposed.

However, the development proposes a new swimming pool within the front (northern) setback to Windermere Place. A minimum setback of 1.797 metres from the pool coping to the Windermere Place property boundary is proposed. It will be set back in excess of 10 metres from Rose Avenue.

A variation to the front setback control is considered appropriate, in this case, as the development remains consistent with the objectives of the control, despite the variation, as assessed below.

- *To create a sense of openness.*

The new inground swimming pool will have no impact on the sense of openness at the front of the site and will not be visible from Windermere Place (the primary street frontage) due to existing boundary fencing and mature vegetation (see Figure 5 above and Figure 15 below). The proposal is compatible with the residential locality. The proposal is also consistent with other examples of swimming pools within the front of residential properties in the immediate locality (see Figure 16 below).



Figure 15. The proposed location of the new swimming pool in the front yard, showing existing vegetation along northern and eastern boundaries



Figure 16. Location of existing swimming pools within the front setbacks of neighbouring properties

Further, the proposed in ground swimming pool will not result in any shadowing, privacy, views, ventilation, and solar access issues.

- *To maintain the visual continuity and pattern of buildings and landscape elements.*

There are a variety of building setbacks along Windermere Place, and it is considered that the proposed swimming pool will not affect the visual continuity and pattern of buildings or landscape elements in the locality. As stated above, there are several examples of swimming pools within the front setback of neighbouring properties which results in a varied streetscape pattern of buildings and landscape elements. The proposed swimming pool is in ground and set within existing and proposed area of landscaped open space. As stated above, the mature landscaping and boundary fencing along the Windermere Place property boundary will be retained.

- *To protect and enhance the visual quality of streetscapes and public spaces.*

As stated above, the swimming pool will have no impact on the existing streetscape character of Windermere Place as it will sit behind existing mature landscaping and boundary fencing.

- *To achieve reasonable view sharing.*

The swimming pool will not result in any loss of views across the site.

Rear Setback

As the subject site is a corner allotment there is no rear boundary.

Part C Siting Factors

Traffic, access and safety

The subject site currently gains vehicular access from Rose Avenue and no change is proposed.

Parking facilities

No change is proposed to the existing enclosed garage on the site.

Stormwater

Rainwater will be detained in a new rainwater tank on the western side of the dwelling.

All proposed stormwater will be connected to the existing infrastructure on site. A concept stormwater plan is provided with the development application.

Excavation and Landfill

Earthworks are proposed as a part of the application to allow for the installation of the new swimming pool.

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

The proposed development includes minor demolition works to allow for 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.

The existing dwelling provides compliant bin storage areas and waste will be collected by Councils regular service.

Part D Design

Landscaped open space and bushland setting

The DCP requires 40% (224.84m²) landscaped area on the site. The development proposes a compliant landscaped area of 40.67% or 228.62m².

Private open space

An existing private open space area well in excess of the required 60m² (134.7m²) will be retained within the site.

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 following observations are made of the shadow diagrams included with this application:

9am – The development will result in minor shadows over the front yard of the subject site and negligible shadow at the front of the dwelling at 3 Windermere Place.

12pm – The development will result in minor shadows over the front setback and within the front setback of 3 Windermere Place.

3pm – The development will result in minor shadows over the front setback of the subject site and the front setback to Rose Avenue.

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 at 9am, 12pm and 3pm.

Views

A site visit has been undertaken and it is not apparent that any views will be impacted by the proposed development.

Privacy

Privacy will be retained for neighbours with the design being considerate of window placement, with no new windows being proposed on the western elevation of the front extension. Other new windows on the western elevation are located within existing window openings. This will prevent any additional opportunities for overlooking onto the neighbouring property at 3 Windermere Place. New window and door openings on the eastern elevation overlook Rose Avenue.

Existing boundary fencing and mature landscaping will prevent privacy loss to the neighbouring property. See Figures 17 and 18 below.



Figure 17. Looking west, the proposed location of the pool behind existing boundary fencing and landscaping



Figure 18. Existing boundary planting between the subject site and 3 Windermere Place.

In addition to this, the development will not result in noise levels inappropriate to a residential area.

Building Bulk

The proposed development incorporates varied materials and finishes to complement the existing dwelling and alleviate bulk. The design is also of a scale consistent with surrounding residential dwellings in Wheeler Heights, and the works will result in a contemporary and complementary addition to the site and the locality.

Building Colours and Materials

The proposed building materials include weatherboard cladding, a timber framed roof and metal sheeting. All materials and finishes are complementary to the residential surrounds and are consistent with a modern finish. Colours are detailed in the colours and materials schedule.

Roofs

The new works propose a 20° pitched timber framed roof which is consistent with the existing dwelling and neighbouring dwellings in the area.

Glare & Reflection

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

Side and Rear Fences

The existing timber and stone boundary fencing is to be retained.

Site Facilities

Existing appropriate waste, recycling areas and drying facilities are to be retained within the site.

Swimming Pools and Spa Pools

The DCP states that pools are not to be located in the front building setback, and where there are two street frontages, swimming pools and spas are not to be situated in the primary street frontage. Swimming pools are also to be set back from any trees.

The proposed in ground swimming pool is located within the front setback to Windermere Place. However, given that the site is a corner allotment and having two street frontages, the proposed location is considered acceptable and will not result in any adverse environmental impacts.

In this case, the proposed development remains consistent with the objectives of the control, despite the variation, as assessed below.

- *To ensure swimming pools and spas are located to preserve the natural environment, streetscape and residential amenity.*

As mentioned above, the proposed swimming pool will not affect the streetscape or the local residential amenity as it will not be visible from the primary street frontage, Windermere Place. No trees are to be removed to cater for the proposal, with existing mature landscaping to be retained and new landscaping works to enhance the natural environment.

- *To encourage innovative design solutions to improve the urban environment.*

It is considered that the proposed swimming pool, including new landscaping works, has been appropriately designed to improve the urban environment.

Safety and Security

The proposed alterations and additions will continue to allow for casual surveillance of the street and safe access to the site and dwelling.

Conservation of Energy and Water

The design has achieved a BASIX Certificate, which accompanies the application.

Part E: The Natural Environment

Preservation of Trees or Bushland Vegetation

The proposal does not involve the removal of any trees within the site.

Prescribed Vegetation

The subject site is not mapped as Native Vegetation, Threatened and High Conservation Habitat or Wildlife Corridor.

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.

Landslip Risk

The site is located in the area nominated on the LEP maps as Area D.

A Preliminary Geotechnical Assessment, prepared by AscentGeo, is attached to this development application package.

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	562.1m ²	Yes – no change
Building Height	8.5 metres	6.591m	Yes
Floor Space Ratio	Not identified	-	-
Warringah DCP 2011			
Wall Height	7.2 metres	4.44m (west) 4.41m (east)	Yes
Number of Stories	Not identified	-	-
Side Boundary Envelope	4 metres / 45 degrees	4 metres / 45 degrees	Yes
Site Coverage	Not identified	-	-
Side Boundary Setbacks	0.9 metres	Existing dwelling - 1.02m (south) 1.9m (west)	Yes – no change
Front Boundary Setback	6.5 metres	<u>Existing dwelling</u> – 8.936m (Windermere Place) 6.077m (Rose Avenue) <u>New Swimming</u> - Pool – 1.797m to Windermere Place In excess of 10m to Rose Avenue	Yes - no change to dwelling house Merit Assessment provided for pool. Compliance with objectives achieved.
Rear Boundary Setbacks	6 metres	N/A	N/A
Parking	2 spaces	Existing enclosed garage	Yes – no change
Landscaped Open Space and Bushland Setting	40%	40.67% (228.62m ²)	Yes
Private Open Space	60m ²	Existing 134.7m ²	Yes – no change

	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.	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 alterations and additions have been designed to complement the existing dwelling and surrounding locality. 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

No trees are to be removed to cater for the proposed development.

Waste

There will be no impact.

Natural hazards

A Preliminary Geotechnical Assessment is attached to this development application package in support of this proposal.

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 regard to all of the above factors. The development fits well within the context of the surrounds and is well suited to the residential surrounds.

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 and is highly conducive the proposed dwelling.

Are the site attributes conducive to development?

The site is appropriate for the proposed dwelling.

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.

8.0 Conclusions

- 8.1 The proposed alterations and additions to the existing dwelling, including a new swimming pool, at 1 Windermere Place, Wheeler Heights 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.

Planner Declaration

This report was prepared by:

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Report Version: Final

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Document Purpose:	Statement of Environmental Effects	
Date	Prepared by	Approved by
31/08/2022	Susan May-Roberts Senior Planner	Sarah McNeilly Director

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