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11James Street Manly NSW 2085

Alterations and additions to a dwelling-house

Lot 23 IN D.P. 68091

Statement of Environmental Effects

For Northern Beaches Council

December 2018

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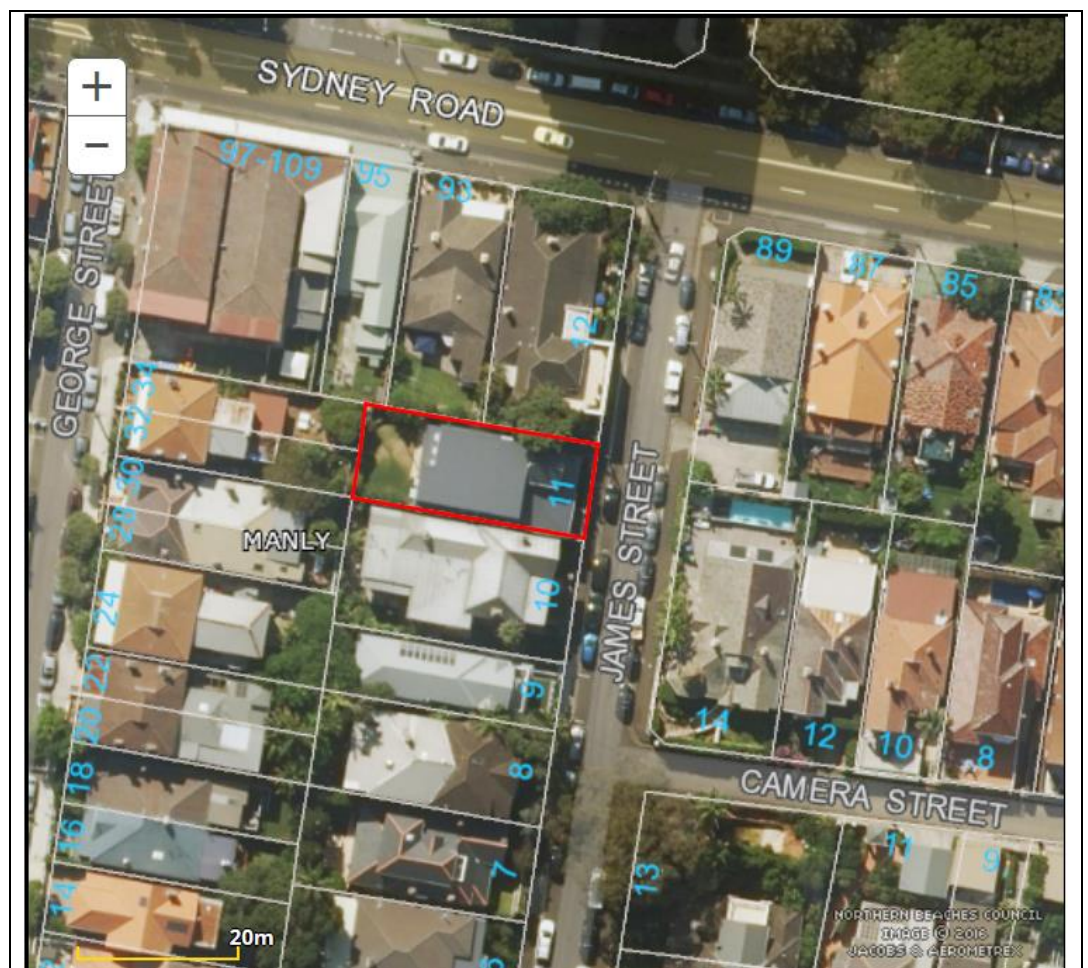
1. Introduction

- 1.1. This report has been prepared as part of the development application to Northern Beaches Council.
- 1.2. This Statement of Environmental Effects assesses the impact of a proposal to carry out alterations and additions of existing structures at No.11 James Street Manly under section 79C of the Environmental Planning and Assessment Act 1979.
- 1.3. In the course of preparing this Statement of Environmental Effects, HAO Design Pty Ltd have:
 - inspected the site and surrounding locality;
 - reviewed relevant environmental planning instruments and Council policies

2. The site and surrounding area

2.1. The site is located on the northern end of James Street in Manly, which rises up from the Western Esplanade. The site is on the western side of James Street and has views over the lower houses on the Eastern side. The precinct is medium to high density residential largely composed of two storey dwellings and some low rise residential flat buildings. To the north of the site are allotments facing Sydney Road which contain retail shops.

2.2. The location of the site is shown in the following aerial map.



Map 1 - Location

The site is identified as Lot 23 in DP 68091, rectangular in shape, with surveyed area of 370.8 m².



No.11 James Street Manly Street View (Subject DA)



The neighbour to the south of the site, No. 10 James Street, is a two storey bungalow divided into residential flats and dating from the early 1900's.



The neighbour to the north is 12 James Street, which has hipped and parapet roofed parts to the building. The parapet section of the dwelling with no street setback is the most dominant to the subject site, with an adjacent deck to the south at first floor level.



14 Camera Street – diagonally opposite the site. Heritage listed item

There is no strong cohesion or unifying character to the streetscape. Houses are a mixture of periods and styles and are typically built close to side boundaries with little setback from the street. The street falls away to the south, and buildings step up in line with the topography. Backyards are generally small, and large trees are rare. The last large tree in the street was a large gumtree which was removed in December 2017.

- 2.3. The site falls west to east direction, from around RL33.6 to RL30.0. The total fall is around 3.6 metres for a distance of 30.4 metres, representing an average grade of approximately 1 in 8.4 (12%). Along northern boundary there is an existing stepped masonry retaining wall, top of wall varies from RL 35.67 TO RL 32.39.
- 2.4. There is one existing detached, two storeys framed & cladded residence on site, with sandstone wall garage at south-east corner on nil front and side setback.
- 2.5. The site has a long history of residential use.

3. Applications History

3.1. DA197/08 Demolition of existing dwelling house and construction of three (3) storey dwelling house with double basement garage, swimming pool and landscaping works was approved 5th Jan 2009. The owners did not proceed with DA approved works. The consent is now lapsed.

3.2. CDC82/2011 Alterations and additions to an existing dwelling including a first floor addition was approved 23/11/2011.and construction completed late 2013.

4. The proposal

4.1. Alterations and Additions Proposal

The proposal is for the for the partial demolition and alterations of the existing dwelling house, the addition of a new Level 2 and associated landscaping works.

Details of the proposal are:

Basement

Existing single sandstone garage in the basement will be replaced and widened to accommodate two cars and work area, new main entrances to dwelling and side path. The area above garage will be used as private open space terrace.

Ground Floor

Basement to ground floor internal stair alterations.

New terrace off kitchen together with a veggie patch.

Convert existing redundant corridor to bathroom and store.

Convert existing formal dining room to guest room with a servery and external door.

Level 1

Improve master bedroom indoor/outdoor flow by added roof terrace to its east and south.

Convert east end corridor window to bay window

New connecting stair to new level 2

Level 2

New home office addition and wrap around roof terrace

4.2. Alterations and addition to existing dwelling is permissible with consent under Manly Local Environmental Plan 2013 (MLEP 2013).

4.3. All development standards intent in the policy are complied with.

4.4. No subdivision is proposed.

4.5. The site is within the R1 General Residential under MLEP 2013. The proposal is considered to be consistent with *Manly Development Control Plan* ("MDCP"), Part 4.1, Residential Development Controls.

4.6. The proposal is shown on the following drawings:

DRAWING NUMBER	DRAWING TITLE	DATE & REVISION	DRAWN BY
1 OF 1	SURVEY PLAN SHOWING DETAIL & LEVELS OVER LOT 23 IN DP68091 11 JAMES STREET MANLY NSW 2095	21/11/17	CMS Surveyors
DA01	SITE/ROOF, SITE ANALYSIS PLAN	Rev A	HAO Design

DA02	BASEMENT FLOOR PLAN	Rev A	HAO Design
DA03	GROUND FLOOR PLAN	Rev A	HAO Design
DA04	LEVEL 1 FLOOR PLAN	Rev A	HAO Design
DA05	LEVEL 2 FLOOR PLAN	Rev A	HAO Design
DA06	EXISTING/PROPOSED ELEVATIONS	Rev A	HAO Design
DA07	PROPOSED SOUTH ELEVATION	Rev A	HAO Design
DA08	PROPOSED NORTH ELEVATION	Rev A	HAO Design
DA09	PROPOSED WEST ELEVATION	Rev A	HAO Design
DA10	PROPOSED SECTION A-A	Rev A	HAO Design
DA11	PROPOSED SECTION B-B	Rev A	HAO Design
DA12	AREA CALCULATIONS	Rev A	HAO Design
DA13	SHADOW DIAGRAMS 21 ST JUNE	Rev A	HAO Design

4.7. The proposal is supported by the following documents:

TITLE
Statement of Environmental Effects
BASIX Certificate
Waste Management Plan

5. State Environmental Planning Policies

5.1. SEPP No. 55 - Remediation of land

- 5.1.1. Clause 7 of SEPP 55 requires Council to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land.
- 5.1.2. The site has been used for residential purposes for approximately 50 years, prior to which it was probably unoccupied. It is considered unlikely that the site has experienced any contamination, and no further assessment is considered necessary.

5.2. SEPP (Infrastructure) 2007

- 4.2.1 Clause 45 of SEPP Infrastructure requires the Consent Authority to notify the electricity supply authority of any development application (or an application for modification of consent) for any development proposal:
 - within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists),
 - immediately adjacent to an electricity substation,
 - within 5m of an overhead power line
 - that includes installation of a swimming pool any part of which is within 30m of a structure supporting an overhead electricity transmission line and/or within 5m of an overhead electricity power line
- 4.2.2 The proposal does not involve any works within the specified criteria so referral to Energy Australia (as the electricity supply authority) is not required.

5.3. SEPP (Building Sustainability Index: BASIX) 2004

- 4.3.1 A BASIX certificate has been submitted with the application. All required BASIX commitments have been noted on the application plans.

6. Manly Local Environmental Plan 2013

- 6.1 The site is zoned R1 General Residential under Manly Local Environmental Plan 2013 ("MLEP 2011"). The proposal constitutes alterations and additions to a dwelling-house. The use sought by this application is within the ambit of the objectives that pertains to the zone and is a use permitted with the consent of the Council.
- 6.2 The proposal is consistent with the objectives of the Zone R1 General Residential. In particular, the proposal provide facilities to meet the day to day needs of residents that is harmonious with the natural environment of Northern Beaches Council as well as meets the parking requirement.

7. Manly Development Control Plan (MDCP)

7.1. The following Table summarises the proposal's compliance with the requirements of MDCP Built Form Controls

Site Area: 370.8m ²	Permitted/Required	Proposed	Complies
Zone: R1	1 dwelling/150m ²	No changes	Yes
Floor space ratio	0.75:1	0.75:1	Yes
Wall Height			
N side	9.6m	9.6m	Yes
S side	9.6m	9.6m	Yes
Roof Height	600mm parapet	300mm	Yes
Fence Height	1.2m	1.2m	Yes
Setback Front	Predominant building line or 6m	0m	Yes – relate front setback to adjoining properties
Rear Setback	8m	9m (no changes)	Yes
N setback side	3.2m	3.6 m (L2 new home office) 1.56m (L2 new stair roof)	Yes See below* 1
S setback side	3.2m	4.18m (L2 new home office)	Yes
Setback to Reserve	N/A	N/A	N/A
Setback to Foreshore	N/A	N/A	N/A
Wall on boundary height	N/A	4.7M (North proposed terrace privacy wall)	See below *2
Wall on boundary length	N/A	2.2m	See below *2
Open space – total	50%	52%	Yes
Open space – soft	30%	32%	Yes
Open space – above ground	Maximum 25% of total open space	30%	See below *3
Number of Endemic Trees	3	More than 3	Yes
Private open space	18m ²	160 m ²	Yes
Car Parking – residents	2	2	Yes
Shadow Adjacent open space			Yes
Adjoin NS			Yes

orientation			
Existing north facing roofs			Yes

* 1 – New L2 Stair case roof, north side setback

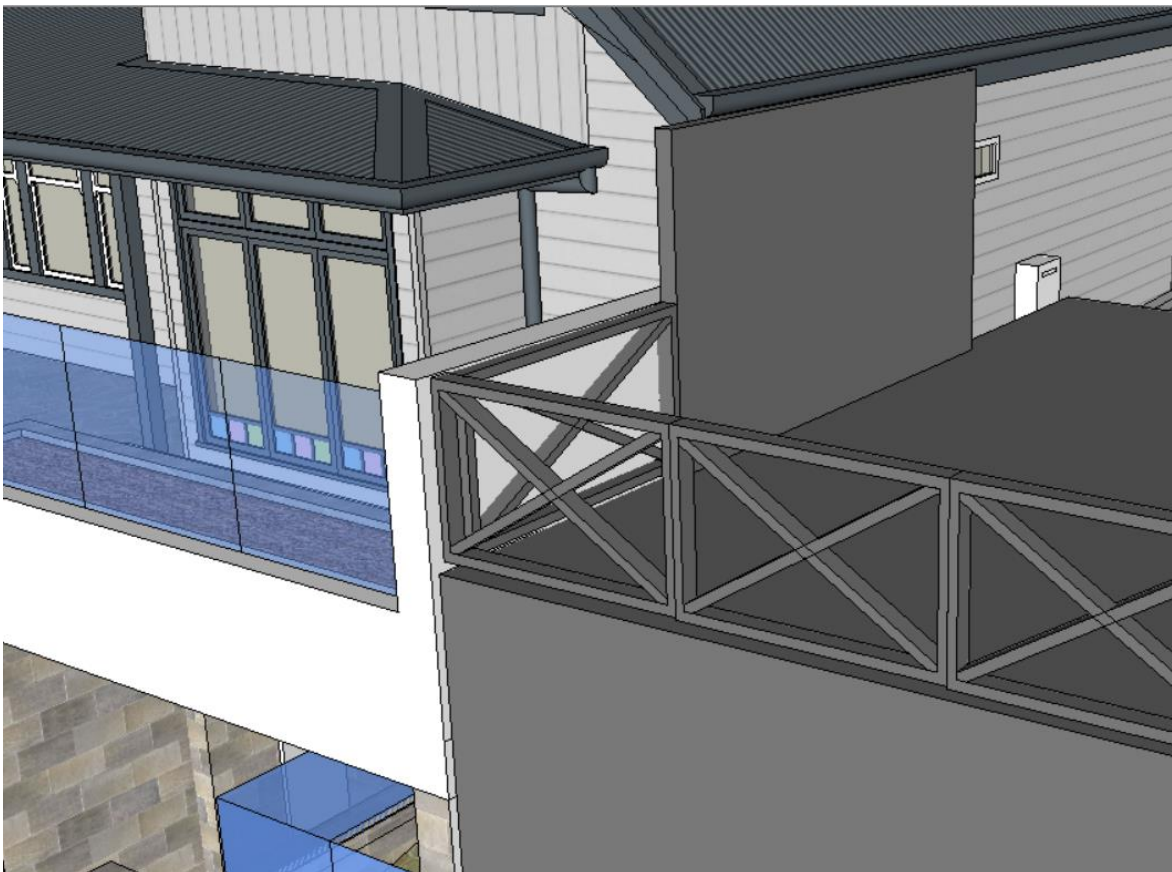
The minor breach is a result of extending existing stair to new Level 2 and headroom required

MDCP 4.4.2 Alterations and Additions

Manly Council promotes the retention and adaptation of existing buildings rather than their demolition and replacement with new structures.

The applicant has requested that in view of the location of the existing dwelling house stair, Council permit the proposed minor side setback breaches. There are no windows on stair enclosure north and west walls. The proposed wall is significantly shorter and lower than the L2 addition. The application documentations demonstrate that there is no disadvantage to adjacent allotment through increased overshadowing or loss of view. It is recommended that the proposed side setback to be permitted as proposed.

* 2 – Ground floor terrace north privacy wall, wall on boundary height & wall on boundary length



A privacy wall is proposed at No.11 & No.12 James St common boundary upper ground floor terrace. The top of privacy wall is 1m above No.12 James St existing terrace floor level. The intent of proposed privacy wall is to replace existing privacy timber lattice screen located on No.12 James St terrace on nil side setback. The proposed privacy wall will be solid masonry construction with low maintenance need. It is recommended that the proposed privacy screen upgrade to be permitted as proposed.

* 3 – Open Space above ground exceed maximum 25% of total open space

Open Space Above Ground is provided by upper ground terrace (40m²) fronting James St and master bedroom south terrace (18 m²) fronting James St. Resulted in 5% (18.54 m²) exceedance. The minor breach is a result of constraint due to existing detached dwelling location and widening existing single garage to double garage. Open Space Above Ground became the only viable solutions for street frontage end.

MDCP 4.4.2 Alterations and Additions

Manly Council promotes the retention and adaptation of existing buildings rather than their demolition and replacement with new structures.

The applicant has requested that in view of the location of the existing dwelling house, Council permit the proposed minor breaches. The street frontage terraces promote casual surveillance of street. Terraces is in a stepped fashion which add interest to building façade, break up the building mass and the application documentations demonstrate that there is no disadvantage to adjacent allotment through increased overshadowing or loss of view. It is recommended that the proposed Open Space Above Ground exceedance to be permitted as proposed.

7.2 Other Issues

Privacy - It is considered that the privacy of the adjoining properties will be maintained. Living areas are located on the ground floor and do not overlook neighbouring dwellings. There is no proposed new northern windows. New privacy screen is proposed at northern ground floor terrace. New level 2 home office south window is setback 4.18m from side boundary with fixed glazing and L2 south terrace is setback 3m from side boundary to eliminate people standing close to southern boundary and overlooking.

Overshadowing - Shadow diagrams (existing & proposed) submitted show that the development has no effect on current solar access to any surrounding properties except No. 10 James Street roof to the immediate south. There is no additional shadow to No.10 James northern boundary windows.

Views – The main views are in an easterly direction towards the harbour, from the front of the houses along James Street. There are no significant view impacts to these dwellings.

Heritage – 14 Camera Street across the road is a heritage list item.

The proposal is well modulated on different levels to break down the bulk of the building, and maintains an articulated facade that moderates between the setback of No.10 and No.12 James Street. Terrace and Level 2 addition is design in a stepped fashion. Only a small portion of new L2 structural will be visible when standing at street level.

It is considered that the proposal is not out of character with the surrounding streetscape. There are different architectural forms and scale in the locality, ranging from single storey bungalows to more contemporary residential flat buildings. The site is not in a conservation area. Whilst there is a heritage item across the road representing a good example of a federation home, there is no 'Federation Streetscape' in the locality and the proposed contemporary building is considered to be a suitable one for the site.

8. Other matters under Section 79C of the Environmental Planning & Assessment Act 1979

7.1 The likely impacts of the development

These have been addressed above.

7.2 The suitability of the site

The allotment has the following benefits:

- The site has been used for housing for many years and the proposal is to maintain this situation.
- Gently sloping site providing easy access.
- very close access to local shopping centre & manly wharf
- good transport links to services and facilities for the future residents of the development.
- existing structural can be retained to enhance the appearance of the building by added roof terraces to reduce its apparent bulk and scale.
- The site does not have a history of use that would result in land contamination (per SEPP 55).
- In summary the site is considered to be suitable for the type of development proposed.

7.3 Submissions

None relevant at this time.

7.4 The public interest

The public interest is served by developing the land in an efficient and economical way that maintains the character of the area and the amenity of the neighbourhood. The provision of alterations and additions is in the public interest.

7 Summary

- 7.3.1 The merits of this application have been identified in this assessment under Section 79C of the Environmental Planning and Assessment Act 1979, relevant State Environmental Planning Policy and Warringah Local Environmental Plan 2011.
- 7.3.2 The proposal complies with the aims, objectives, and numerical requirements of all existing and draft planning controls. The use of the existing building for a dwelling will have no negative impacts in terms of adjoining and nearby residents continuing to enjoy reasonable solar access, privacy and views.
- 7.3.3 Overall the aims and objectives of Council's development controls are achieved and there is no planning reason why this application should not be approved.