

Statement of Environmental Effects

Alterations and additions to an existing secondary dwelling

39 Forest Way, Frenches Forest

February 2022

The Site and Surrounding Development

The site has a legal description of Lot 5 DP 23064, known as 39 Forest Way, Frenches Forest. It is rectangular in shape with area of approximately 975.44sqm. It has a primary street frontage of 21.3m to Forest Way.

The site contains a single storey weatherboard dwelling with attached carport. An existing secondary dwelling, which is the subject of this application is located at the rear of the site.

The site is not identified as being subject to flooding.

A number of mature trees are located on the site.

The surrounding area is characterised by a mixture of land uses. Properties immediately surrounding the subject site are residential. The Forest Way Shopping Centre is located within walking distance of the site, less than 400m to the south. The Northern Beaches Hospital is located approximately 1km to the west.

The site is within close proximity to public transport services. The nearest bus stop is located 75m from the site, with additional services located closer to Warringah Road.

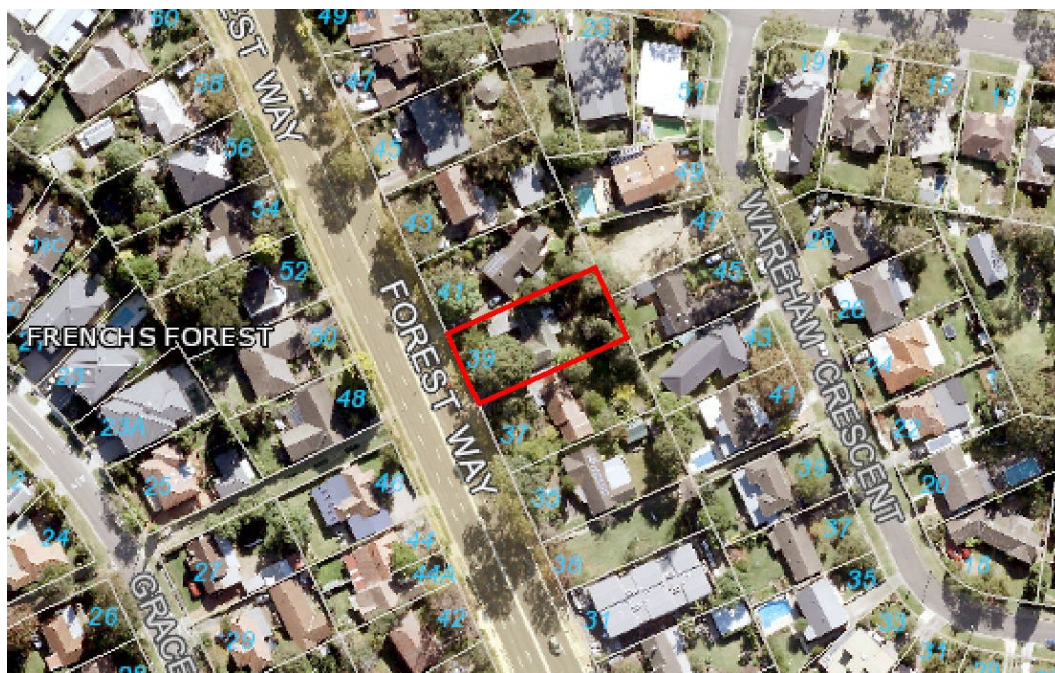


Figure 1: Aerial view of site and surrounds (Northern Beaches Council, 2021)



Figure 2: Photo of the existing secondary dwelling viewed from the rear yard (looking south)

Relevant Development Applications

The following applications are relevant to the site:

- Approval No. DA2021/0178 – Approval was granted for Alterations and additions to a dwelling house to include the conversion of an outbuilding to a secondary dwelling.
- Approval No. 685/90 – Approval for a studio with bathroom at the rear of the site.

Proposed Development

The application seeks consent for alterations and additions to the existing secondary dwelling comprising an extension to the west of the site to create a new bedroom. The dimensions of the extension are 4.2m x 3.2m and the total additional floor area is 13.44sqm.

No tree removal or landscaping changes are proposed.

Assessment

The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (SEPP) (Affordable Rental Housing) aims to provide a consistent planning regime for the provision and maintenance of affordable rental housing and to facilitate the delivery of new affordable rental housing.

Division 2: Secondary Dwellings

Under Clause 22, compliance with any of the following standards must not be used to refuse consent for a secondary dwelling.

Clause 22 – Standards that cannot be used to refuse a secondary dwelling

Provision	Compliance	Comment
(4)(a) Site Area (i) the secondary dwelling is located within, or is attached to, the principal dwelling, OR (ii) the site area is at least 450 square metres,	Yes	The subject site has a total area of 975.44sqm, which exceeds the minimum site requirement.
(b) Parking if no additional parking is to be provided on the site.	Yes	The application does not propose any additional car parking onsite.

Warringah Local Environmental Plan 2011

An assessment of the proposed development against the relevant provisions of the Warringah Local Environmental Plan 2011 is provided in the following sections.

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the R2 Low Density Residential zone. The proposed development is for alterations and additions to an approved secondary dwelling, which is permissible with consent in the zone.
4.3 Height of buildings	Yes	A maximum building height of 8.5m is permitted. The existing secondary dwelling and proposed extension has a maximum height of 3.1m to the top of the roof pitch.
5.4 Controls relating to miscellaneous permissible uses	Acceptable	The maximum floor area permitted for the secondary dwelling is 60sqm.

The total floor area of the dwelling must not exceed whichever of the following is the greater (a) 60 square metres, (b) 11% of the total floor area of the principal dwelling.		The floor area of the existing secondary dwelling is 28.2sqm. The proposed extension measures 4.2m x 3.2m, which equates to 13.44sqm of additional floor area. The proposed floor area of the secondary dwelling is 41.64sqm. The proposed alterations and additions would result in a minor increase above the allowable 11%. This is considered acceptable as follows: • The proposal is a minor increase to an existing, approved studio to create a separate bedroom area. • The proposal will change the layout of the secondary dwelling from a studio to a one bedroom, which does not increase the overall population onsite. • The existing studio is located at the rear of the site and is subservient to the existing dwelling. • The proposed addition maintained the existing secondary dwellings side and rear setbacks. • Ample landscaped area and private open space remain on the site.
6.4 Development on sloping land	Yes	The site is located within Area B on the LEP Landslip Risk Map. The rear of the site where the existing secondary dwelling and proposed addition is located is relatively flat. The proposed extension will be fitted with guttering and downpipes that will connect to the sites existing stormwater system.

Warringah Development Control Plan 2011

An assessment of the proposed development against the relevant provisions within the Warringah Development Control Plan 2011 is provided in the following sections.

Part B – Built Form Controls

Provision	Compliance	Comment
B1 Wall Heights	Yes	The height of the proposed addition is 2.7m from the ground to the underside of the eave.
B5 Side Boundary Setbacks	Yes	The existing secondary dwelling is located 4m from the southern side boundary and approximately 13m from the northern side boundary. The proposed extension will maintain these setbacks.
B9 Rear Boundary Setbacks	Acceptable	The existing studio is located 3m from the eastern rear boundary, which is less than the 6m DCP numerical requirement. The proposed western addition seeks to maintain the existing 3m eastern setback, which is considered acceptable as follows: • There are no windows or openings located on the eastern elevation that would create privacy impacts to adjoining properties. • Ample private open space and deep soil zones exist within the site.

Part C – Sitting Factors

Provision	Compliance	Comment
C2 Traffic, Access and Safety	Yes	No new vehicle access is proposed as part of this application. The site is located within walking distance to a number of services including the Forest Way Shopping Centre and Northern Beaches Hospital, reducing reliance on private vehicles. The site is well serviced by public transport.
C3 Parking Facilities	Yes	No new parking facilities are proposed as part of this application.

C4 Stormwater	Yes	The propose extension will be fitted with guttering and downpipes that will connect to the sites existing stormwater system.
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Part D – Design

Provision	Compliance	Comment
D1 Landscaped Open Space and Bushland Setting	Yes	Approximately 305sqm of landscaped private open space (excluding decking) exists in the rear yard, with an additional 177sqm of landscaped area (excluding carport and circulation space) at the front of the site.
D2 Private Open Space	Yes	Approximately 340sqm of private open space (including decking) exists in the rear yard.
D6 Access to Sunlight	Yes	The proposed addition is appropriately located to ensure that the private open space of the subject site and adjoining properties receives ample solar access.
D8 Privacy	Yes	The proposed addition is well setback from adjoining properties and does not contain openings along the southern, eastern and western elevations. One new window is proposed on the northern elevation. This window is perpendicular to the primary dwelling on the site and does not allow direct viewing into the existing dwelling.

Part E – The Natural Environment

Provision	Compliance	Comment
E1 Preservation of Trees or Bushland Vegetation	Yes	The proposal does not involve the removal of any existing trees or vegetation.
E10 Landslip Risk	Yes	The site is located within Area B on the LEP Landslip Risk Map. The rear of the site where the existing studio and proposed addition is located is relatively flat. The proposed addition will be fitted with

		guttering and downpipes that will connect to the sites existing stormwater system. The application is supported by a Preliminary Landslip Assessment that concludes that a detailed landslip investigation is not required.
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Conclusion

The development application seeks approval for alterations and addition to an existing, approved secondary dwelling located at the rear of the site as a secondary dwelling.

The proposal will not result in any adverse impacts on both the natural and built environment or surrounding properties and is suitable for the site.

The proposed use satisfies the relevant provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009, the Warringah Local Environmental Plan 2011 and the Warringah Development Control Plan 2011.