



12 KEMPBRIDGE AVENUE SEAFORTH

STATEMENT OF ENVIRONMENTAL EFFECTS FOR ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING



Report prepared for
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1.0 Introduction

- 1.1 This is a statement of environmental effects for alterations and additions to an existing detached dwelling, at 12 Kempbridge Avenue, Seaforth. The proposed development is for a covered deck at the front of the dwelling, paved pathways within the southern setback and front yard and a new sliding carport gate garage.

The report describes how the application addresses and satisfies the objectives and standards of the Manly Local Environmental Plan 2013, the Manly Development Control Plan 2013 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

- 1.2 This statement of environmental effects has been prepared with reference to the following:

- ◆ Site visit
- ◆ Survey Plan prepared by VMark Survey Pty Ltd
- ◆ DA Plans prepared by Action Plans
- ◆ BASIX Certificate prepared by Action Plans
- ◆ Stormwater Management Plan prepared by Taylor Consulting
- ◆ Waste Management Plan

- 1.3 The proposed development is consistent with the objectives of all Council controls, considerate of neighbouring residents and will result in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

2.0 The site and its locality

- 2.1 The subject site is located on the eastern side of Kempbridge Avenue, approximately 115 metres north of its intersection with Sydney Road, in Seaforth. It is legally described as Lot 56 DP 12499 and is known as 12 Kempbridge Avenue.
- 2.2 It is a rectangular shaped lot with front and rear boundaries of 12.19 metres (west - Kempbridge frontage and east), side boundaries of 40.17 metres (north) and 40.31 metres (south).
- 2.3 The lot has an area of 490.6m² and is currently occupied by a two storey clad dwelling, with a metal roof. The site dips towards the middle from both the front (west) and rear (east).
- 2.4 The property is surrounded by detached dwellings in all directions. The site is located in close proximity to Seaforth Shopping Village on Sydney Road to the south and Manly Road/Burnt Bridge Creek Deviation to the east. Transport services are available on Sydney Road.



Figure 1. The site and its immediate surrounds



Figure 2. The site within the locality

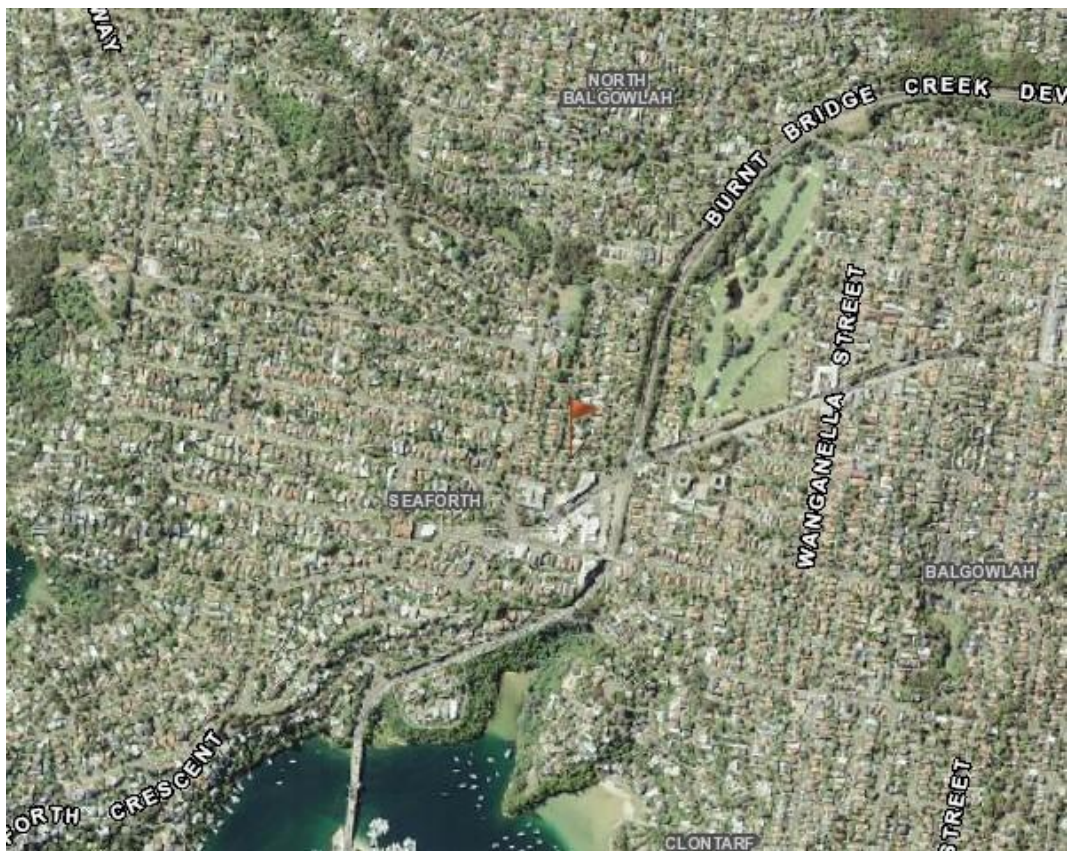


Figure 3. Aerial image of the site within the locality

3.0 Site Photos



Figure 4. The front of the dwelling viewed from the Kempbridge Avenue entrance



Figure 5. Rear of the existing dwelling looking west, the existing swimming pool on the northern side



Figure 6. The property frontage and location of proposed new deck, looking south.



Figure 7. Carport and front lawn area, the site for the proposed new paths.



Figure 8. Southern boundary, site of proposed new level path

4.0 Proposed Development

- 4.1 The proposed development is for alterations and additions, to the existing dwelling including a new covered ground floor deck at the front of the dwelling, paved pathways and new sliding door to the carport.

The development has been designed to ensure it remains consistent with the existing streetscape and the adjacent dwellings. The proposal is consistent with Council controls and ensures privacy is maintained for both neighbours and the subject site.

- 4.2 The alterations and additions will be made up as follows:

Works to Existing Dwelling

- Extend and enlarge the existing front porch to provide a tiled covered deck across the front of the dwelling,
- Full height privacy screen to new front entry and covered deck,
- Replace existing lounge window with glass doors to access the new deck

Works within front yard

- Removal of existing front paths and steps to the front entrance of the dwelling and lower ground area (southern side) and part of a retaining wall,
- Construction of a new pathway and steps from the front entrance to the new deck, from the existing carport to the lower ground level, and new upgraded pathway adjacent to southern elevation of the property

Front fence

- Relocate entry gate, extend and repair front fence to match existing
- Install new sliding carport gate

- 4.3 The minor scope of alterations will provide improved access to the dwelling and private open space within the site. Further, the works within the front yard will visually enhance the appearance of the landscaped setting within the front of the property.

- 4.4 No changes to the existing floor layout of the dwelling are proposed.

5.0 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. It is considered that the proposed development remains 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 Manly Local Environmental Plan 2013

The relevant clauses of the Manly Local Environmental Plan 2013 are addressed below.

Zoning

The site is zoned R1 General Residential, pursuant to the provisions of the Manly Local Environmental Plan 2013. The proposed development is for alterations and additions to the existing dwelling house. Dwellings houses are permitted with development consent in the R1 Zone.



Figure 9. Extract from Manly LEP 2013 zoning map

Demolition

Minor demolition works are proposed, as described above and 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 subdivision lot size of 300m². The subject site comprises a compliant area of 490.6m² and no subdivision is proposed.

Building Height

The LEP restricts the height of any development on the subject site to 8.5 metres. The roof of the new front deck has an easily compliant building height of 5.364 metres, as illustrated on Drawing DA12 prepared by Action Plans and attached to this development application.

Floor Space Ratio

The site is mapped with a maximum FSR of 0.5:1, this equates to a maximum permitted floor area of 245.3m² for the site area of 490.6m².

The development proposes an unchanged and compliant floor area of 0.496:1 (243.5m²).

Heritage Conservation

The site is not a heritage item, located within a heritage conservation area or located in proximity to any heritage items.

Acid Sulfate Soils

The subject site is not identified on the Manly Acid Sulfate Soils Map.

Earthworks

Minimal earthworks are proposed for construction of the new deck and pathways within the front yard and southern 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.

Stormwater Management

Stormwater will be connected to the existing drainage infrastructure on the site, which drains to Kempbridge Avenue.

Essential Services

All essential services are existing on the site.

5.3 Manly Development Control Plan 2013

The relevant sections of the DCP are addressed below.

3. General Principles of Development

3.1 Streetscapes and Townscapes

The subject site has frontage to and is visible from Kempbridge Avenue, which is characterised by one and two storey detached residential dwellings.

The proposed works have been designed to remain consistent with the character of the area, through design, architectural features and complimentary materials and colour choices.

Garbage Areas

The existing dwelling has a compliant bin storage area which will be retained.

Complementary Design and Visual Improvement

The proposed development remains consistent with the character and streetscape of the locality. The works will be constructed of materials consistent with the residential use and will match the existing dwelling on the site. Full details are provided in the attached materials and finishes schedule.

Front Fences and Gates

The proposal includes minor works to the front masonry boundary wall. This involves the installation of a new front gate and the extension of the boundary wall in a northerly direction to allow for a garden hedge to be planted behind, along the southern property boundary.

Roofs and Dormer Windows

A 2° roof pitch is proposed over the front deck to compliment the roof pitch of the existing dwelling.

No dormer windows are proposed.

Garages, Carports and Hardstand Areas

The development proposes a new sliding gate to the existing double carport. The colours, materials and finishes will be complimentary to the existing carport structure.

3.2 Heritage Considerations

The subject site is not a heritage item, located in a heritage conservation area and is not located in proximity to a heritage item.

3.3 Landscaping

Landscaping in the front yard will be retained and improved by the rebuilding of the paths and steps and the connection of the outdoor living area to the indoor living spaces for the enjoyment of the residents. The proposed works ensure that the site retains compliant areas of landscaped open space.

3.4 Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

3.4.1.1 Overshadowing adjoining private open space

The DCP requires that new development not eliminate more than 1/3 of existing sunlight to the private open space of adjacent properties from 9am and 3pm on 21 June. The shadow diagrams provided with the application clearly demonstrate a negligible impact on overshadowing to adjoining areas of private open space.

3.4.1.2 Maintaining Solar Access into Living Rooms of Adjacent Properties

The subject site and adjoining lots have an east-west orientation, as such the DCP requires a minimum 2 hours solar access be maintained to the glazing in living rooms between 9am and 3pm on 21 June.

The development will result in a negligible increase in shadowing to the rear/side yard the southern neighbour, retaining compliant solar access to the glazing in living rooms.

3.4.1.3 Overshadowing Solar Collector Systems

The proposed development will not overshadow neighbouring solar collector systems.

3.4.1.4 Overshadowing Clothes Drying Areas

The proposed development will not overshadow neighbouring clothes drying areas.

3.4.1.5 Excessive Glare or Reflectivity Nuisance

All external materials and finishes will be constructed of non-reflective materials in keeping with this clause.

3.4.2 Privacy and Security

Privacy will be retained for neighbours with existing side setbacks retained. Solid privacy screening to be installed on the southern side of the new front deck will also prevent overlooking onto the front yard of 10 Kempbridge Avenue.

Existing mature vegetation along the northern property boundary will also provide natural screening to the new deck from the neighbouring property at 14 Kempbridge Avenue.

3.4.2.3 Acoustical Privacy (Noise Nuisance)

The development is appropriate and will not result in noise levels inappropriate to a residential area. The site is not located in close proximity to a noise generating activity.

3.4.3 Maintenance of Views

A site visit has been undertaken and it is considered there will be no view loss impacts as a result of the proposal.

3.5 Sustainability

A compliant BASIX Certificate is provided with the attached plan set.

3.7 Stormwater Management

Stormwater will be connected to the existing drainage infrastructure on the site, which drains to Kempbridge Avenue.

3.8 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.

3.10 Safety and Security

The dwelling maintains clear property boundaries and visual surveillance of the street. The new paved entry path from the carport to the dwelling will be a positive addition for site safety.

Part 4 Development Controls and Development Types

4.1 Residential Development Controls

4.1.1 Dwelling Density, Dwelling Size and Subdivision

No change is proposed to the existing density which comprises a detached residential dwelling.

4.1.2 Height of Buildings (incorporating wall height, number of storeys and roof height)

The LEP restricts the height of any development on the subject site to 8.5 metres. The development proposes a compliant maximum height of 5.364 metres to the top of the roof of the new covered front deck.

The DCP permits a maximum of 2 stories and basement on the subject site. The development remains compliant.

The new roof proposes a compliant 2 degree pitch.

The maximum wall height of the privacy screen on the southern side of the covered deck is a compliant 3.410 metres.

4.1.3 Floor Space Ratio (FSR)

The existing compliant floor space ratio for the site will be unchanged.

4.1.4 Setback (front, side and rear) and Building Separation

4.1.4.1 Street Front setbacks

The development proposes a compliant front boundary setback of 14.895 metres to the new covered deck.

4.1.4.2 Side setbacks and secondary street frontages

A side boundary setback equivalent of 1/3 of the wall height is required on the site which equates to 1.023 metres (on the southern side where the maximum wall height of the privacy screen is 3.410 metres).

The new deck proposes a compliant side setback of 1.422 metres on the southern side to the privacy screen. On the northern side the setback to the open sided deck complies with the minimum DCP side setback requirement as shown on Drawing DA09, prepared by Action Plans.

4.1.4.4 Rear Setback

A minimum rear setback of 8 metres is required on the site. The existing dwelling is setback 5.224 metres from the rear property boundary and no change is proposed.

4.1.5 Open Space and Landscaping

4.1.5.1 Minimum Residential Total Open Space Requirements

The subject site is located in Open Space Area OS3, as such the DCP requires a total of 55% of the site to be open space with a minimum 35% of that open space to be landscaped area and a maximum 25% of open space located above ground.

This equates to a minimum 269.83m² of open space for the site area of 490.6m² and a minimum of 94.44m² of landscaped area and a maximum of 107.9m² of open space above ground level.

The site has an existing total open space area of 46.3% (227.01m²) and no change is proposed. The proposal results in a minor decrease in landscaped area of 20m², from 182.8m² (67.7m²) to 162.7m² (60.3m²). However, the landscaped area retains compliance with the DCP requirement. The above ground level areas of open space also comply.

4.1.6 Parking, Vehicular Access and Loading (Including Bicycle Facilities)

The DCP requires 2 car parking spaces for dwellings. The existing dwelling has a 2 car carport.

4.1.10 Fencing

As stated above, the proposal includes minor works to the front masonry boundary wall. These works are consistent with the character of the streetscape.

4.4.2 Alterations and Additions

The proposal is consistent with the DCP definition of alterations and additions.

4.4.5 Earthworks (Excavation and Filling)

Minimal earthworks are proposed to allow for the construction of the new deck and paths.

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.

5.4 Environmentally Sensitive Lands

The subject site is not mapped as environmentally sensitive land.

6.0 Numerical Control Table

The following table provides a summary of the development proposal, in accordance with the relevant numerical planning controls contained in the Manly LEP 2013 and the Manly DCP 2013.

	Standard	Proposed	Compliance
Manly LEP 2013			
Lot Size	300m ²	Existing – 490.6m ²	Yes – no change
Building Height	8.5 metres	Existing dwelling - 7.844m Proposed front covered deck - 5.364m	Yes – no change to maximum height of existing dwelling and front deck complies
Floor Space Ratio	0.5:1 (245.3m ² based on a site area of 490.6m ²)	Existing 0.496:1 (243.5m ²)	Yes – no change to existing
Manly DCP			
Residential Density/ Dwelling Size	1 /500m ²	1	Yes
Wall Height (refer 4.1.2.1 Wall Height of the Manly DCP)	Maximum wall height on flat land (no gradient) 6.5m	3.410m on southern side (new privacy screen to front deck)	Yes
Number of Stories	2	2 stories	Yes
Side Boundary Setbacks	1/3 wall height <u>Southern side</u> 3.410 (wall height of privacy screen) x 0.3 = 1.023m <u>Northern side</u> 1.67m	<u>Southern side</u> 1.422m <u>Northern side</u> 2.252	Yes
Primary Front Boundary Setback	Prevailing building line or 6m Front setback average is 18.82m	14.895m to covered front deck	Yes
Rear Boundary Setbacks	8 metres	Existing 5.224m	Yes – no change
Parking	2 spaces	Existing - 2 spaces in double carport	Yes – no change
Open Space O/S Area 3	Total O/S – 55% 269.83m ²	Existing 46.3% (227.01m ²)	Yes – no change

	Standard	Proposed	Compliance
	Landscaped Area 35% of O/S 94.4m ² Above Ground - no more than 40% of Total O/S 107.93m ²	Existing 67.7% (182.8m ²) Proposed 60.3% (162.7m ²) Complies	Yes Yes
Solar Access (adjoining P o/s)	1/3 sunlight retained between 9am and 3pm on June 21.	Achieves compliance	Yes
Solar Access (Living rooms)	3 hours from 9am to 3pm on the winter solstice (21 June)	Achieves compliance	Yes

7.0 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 development is complimentary and compatible with adjoining development. The proposal achieves the aims of the Manly LEP and DCP.

The development is permissible in the 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.

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 site and its surrounds. 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

There will be no impact.

Utilities

There will be no impact on the site, which is already serviced.

Flora and fauna

There will be no significant impact.

Waste

There will be no impact.

Natural hazards

The subject site is not constrained by natural hazards.

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 highly appropriate to the site with regard to all of the above factors. The proposed development fits well within the context of the surrounds and is of an appropriate scale.

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 and 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.

Are the site attributes conducive to development?

The site is appropriate for the proposed alterations and additions.

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 development for alterations and additions to the existing detached dwelling at 12 Kempbridge Avenue, Seaforth 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 fully compliant development is considered worthy of Council's consent.

This report was prepared by:

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Document Purpose:	Statement of Environmental Effects	
Date	Prepared by	Approved by
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