

DEVELOPMENT APPLICATION TO NORTHERN BEACHES COUNCIL

STATEMENT OF MODIFICATION & ENVIRONMENTAL EFFECTS FOR DA2018/0598



Proposed Minor Alterations to 60 PITTWATER ROAD, MANLY

Prepared by Three Corners Design on behalf of
Virginie Halpin & Louie Skinner
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1.0 INTRODUCTION

This Statement of Modification has been prepared for Mrs. Virginie Halpin and Ms. Louie Skinner, owners of the site of the proposed development. The report is to accompany a modification to an approved development application DA2018/0598 to Northern Beaches Council seeking consent for minor alterations to unit 1 and unit 2 of No. 60 Pittwater Road, Manly.

The purpose of this Statement is to address the planning issues associated with the BCA fire separation between neighbouring properties which requires minor amendments to the original DA for this development proposal and specifically to assess the likely impact of the minor amendments on the environment.

Finally, please note this Statement shall be read in conjunction with the following supporting amended DA documentation, which accompanies this report:

- **Architectural Plans** - 1705/01 to 05, Revision K, prepared by Three Corners Design.

2.0 DESCRIPTION OF PROPOSAL

The site is located on the eastern side of Pittwater Road near Dennison Road. The site slopes slightly from west to east. The existing dwellings are two apartments units that are encompassed within a two storey building with a street façade of render with parapet, behind which lies a brick and stone dwelling with metal roof.



60 Pittwater Road as viewed from the public domain.

The proposed modification to the DA involves adding blade walls as fire protection measures required by the BCA; substituting glass block for standard glazing at W5 south facing attic bedroom window. Two blade walls are located at ground level at the rear courtyard; the third blade wall is located at the attic balcony. The purpose for the proposed minor alterations is to provide fire protection between properties so that both the neighbouring properties and No. 60 Pittwater are fire protected.

None of the blade walls are visible from Pittwater Road or the public domain. Thus, there is no impact to the Heritage conservation area.

The minor alterations involves the following:

- rear courtyard: new blade walls at the north and south boundaries. The height of the walls must be 380mm taller than the existing boundary fences to meet the BCA requirements. The walls will be rendered and painted to match the existing boundary fences. See photos below for existing context.

- attic balcony: new blade wall on north side of east facing window, W4. Blade wall will be clad in weatherboard to match the attic elevation. Refer to amended plan, elevation and section drawings for details.

View of No.22 Denison from No. 60 Pittwater's rear Courtyard.



View of No.62 Pittwater from No. 60 Pittwater's rear Courtyard.



The living spaces of No. 22 Denison are not affected by the blade wall shadow on the south boundary. Ignoring the line of existing trees, there would be a minor increase of shadow on the lawn area at 9a.m. as illustrated in the shadow diagram (see page 7). However, as can be seen in the photo on page 3, the trees which No. 22 Denison planted along the boundary to protect privacy from both sides currently shadows more of their lawn area than the proposed blade wall would. No. 22 Denison was required to plant these trees as a result of their DA approval permitting their development to be built close to the boundary which impacts privacy between No. 22 Denison and No. 60 Pittwater Road.

There is no shadowing affect on any neighbours by the blade wall proposed on the rear courtyard north boundary or at the attic balcony.

The substitution of glass block at W5 meets the BCA requirement for the fire protection of the window. The glass block window is slightly smaller than the DA window W5 and the window location is same as in the DA. The glass block window complies with BASIX requirements, so there is no change to the BASIX report required.

Due to the nature of the glass block being much thicker than standard glazing, it is inherently less transparent than standard glazing. The glass block will not allow clear visibility through to the neighbouring property, thus meeting the DA condition No. 8 which states "Window W5 is to have fixed obscure glazing to a height of 1.65m."

Site Location, CONTEXT & Description

The key characteristics of the site and context are summarised below:

Location	No.60 Pittwater Road, Manly
Real property description	SP 80544
Site area	168.9 m ² (by Surveyor calculation).
Zoning	R3 – Medium density residential.
Frontages	7.12 metres to Pittwater Road
Existing use	Dual occupancy, attached.
Heritage listing	The site is not listed as a Heritage item. This site is within the Pittwater Road Conservation area.
Scenic Protection zone	The site is within the Manly Foreshore scenic protection area.
Acid Sulfate Soils	Class 4.
Topography	The site is gently sloping and falls away from the west boundary to the east boundary.
Vegetation	The site has several planter beds at the rear courtyard. An existing street tree is located immediately in front of the property. No trees will be removed as part of the proposal.
Adjoining uses	Adjoining site to the south is No. 22 Denison St, a three storey dual occupancy attached dwelling; and also No. 54-58 Pittwater Road, a two storey mixed use brick building. To the north is No. 62 Pittwater, a three storey multiple occupancy attached dwelling. To the east, is No. 18-20 Denison, a two storey, dual occupancy attached dwelling.
Architectural Context	The immediate area is a mixture of mostly two and three storey buildings but with examples of one and four storey buildings, and a mix of residential and non-residential of differing vintage with some being more recently renovated/new. Observations of architectural detailing, building heights, façade articulation, roofing or parapets, colours and materials vary substantially.
Solar Access	Good orientation for solar access and cross-ventilation are available to the site area.

3.0 PLANNING CONTROLS

3.1 SEPP Building Sustainability Index: BASIX 2004

A complying BASIX Certificate accompanies this DA.

3.2 Manly Local Environmental Plan 2013

3.3 Manly Development Control Plan 2013

See below assessment compliance table.

MLEP 2013 CONTROLS	COMPLIANCE		COMMENTS
	Technical	Performance	
Height of Building 8.5 metres	✓	✓	The blade walls are all below the 8.5m.
Floor Space Ratio FSR= 0.6:1	✓	✓	NA
Foreshore Scenic Protection Area From Map	✓	✓	The blade walls are not visible from the public domain.
Heritage Conservation From Map	✓	✓	The property is not a heritage item; it is within the Pittwater Road Conservation Area. The blade walls are not visible from the public domain.
MDCP 2013 CONTROLS	COMPLIANCE		COMMENTS
	Technical	Performance	
3.1 Streetscapes and Townscapes	✓	✓	The blade walls are not visible from the public domain.
3.2 Heritage Considerations	✓	✓	The blade walls are not visible from the public domain.. The Heritage character of the locality are retained and there is no impact on the conservation area.
3.3 Landscaping	✓	✓	No impact on landscaping.
3.4. Amenity			
3.4.1 Sunlight Access and Overshadowing			The attic balcony blade wall does not change solar access to or overshadow any neighbouring property.
3.4.1.1 Overshadowing Adjoining Open Space	✓	✓	The rear courtyard north boundary blade wall does not change solar access to or overshadow any neighbouring property. The rear courtyard south boundary blade wall does not change solar access or overshadow any neighbouring property due to

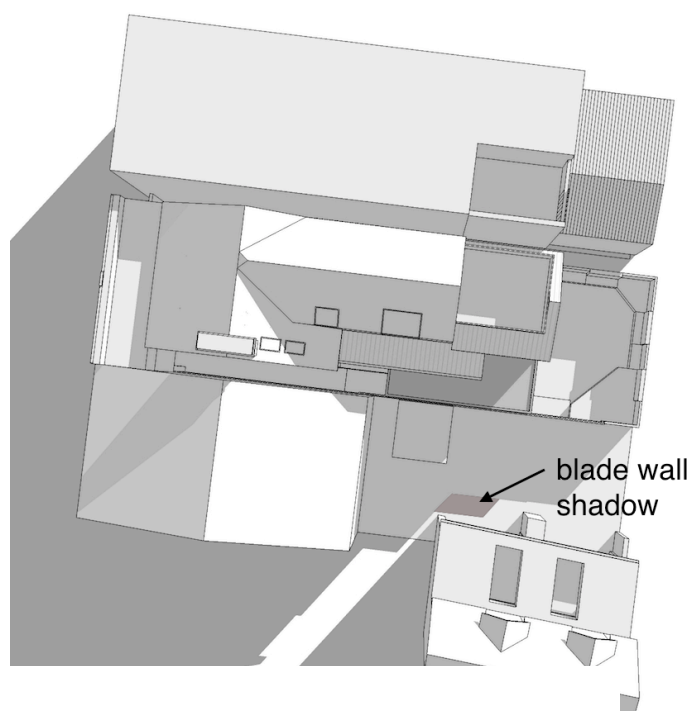
✓

✓

the existing trees planted by No. 22 Denison on their property. However, for the purpose of this application, if the trees are ignored, then the overshadowing increase is shown in the diagram below which falls only on lawn area at 9a.m. winter solstice. The blade wall shadow does not eliminate more than one third of the existing sunlight accessing the private open space of No. 22 Denison from 9am to 3pm on June 21st.

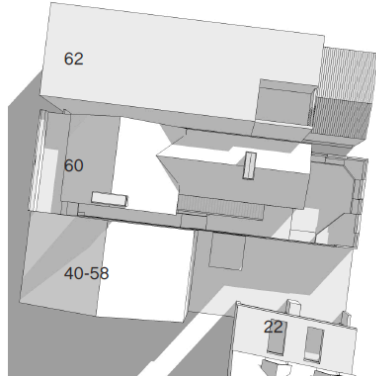
There is no affect of the blade wall at noon or 3pm winter solstice as illustrated in shadow diagrams below.

*amended
shadow for
9a.m. June
21st*

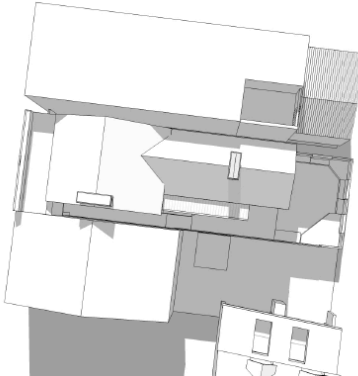


*Diagrams from DA
application:*

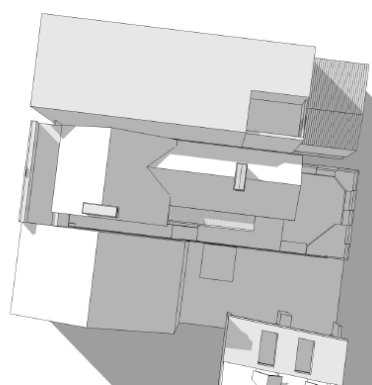
EXISTING SHADOWS - JUNE 21ST
9 AM



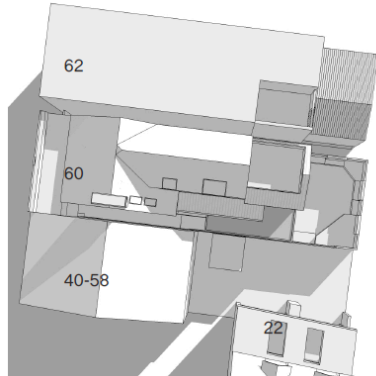
12 PM



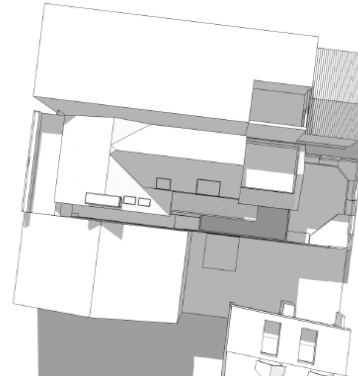
3 PM



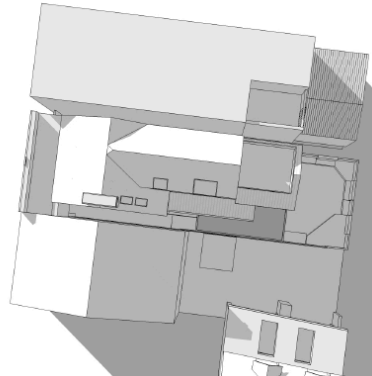
PROPOSED SHADOWS - JUNE 21ST
9 AM



12 PM



3 PM



3.4.1.2 Maintaining Solar Access into Living Rooms of Adjacent Properties	✓	✓	There is no change to solar access at the first floor level living rooms at 22 Denison from 9am-3pm.
3.4.1.3 Overshadowing Solar Collector Systems	✓	✓	The proposal does not overshadow neighbouring solar collectors or clothes drying areas.
3.4.1.4 Overshadowing Clothes Drying Areas	✓	✓	
3.4.1.5 Excessive Glare or Reflectivity Nuisance	✓	✓	Materials proposed are painted surfaces, thus not reflective or glare inducing. There is no risk of glare from south facing glass.
3.4.2 Privacy and Security			
To have adequate visual privacy levels for residents & neighbours	✓	✓	The blade walls increase privacy and security between properties.
3.4.2.1 Window Design and Orientation			
3.4.2.2 Balconies and Terraces	✓	✓	
3.4.2.3 Acoustical Privacy (Noise Nuisance)	✓	✓	
3.4.3 Maintenance of Views			
	✓	✓	The blade walls do not affect any views.
3.5 Sustainability			
Solar access, Energy, Ventilation, Landscaping, Building construction, Water wise	✓	✓	Full compliance with BASIX report. The glass block window have better thermal performance than as required by BASIX.
3.7 Stormwater management			
- minimize stormwater surface run-off through landscape design	✓	✓	The blade walls do not impact the stormwater water management.
3.8 Waste Management			
Minimize site disturbance; Appropriate controls to safeguard amenity	✓	✓	The blade walls do not impact the waste management.
3.9 Safety & Security			
	✓	✓	The blade walls increase privacy and security between properties.
4.1 RESIDENTIAL DEVELOPMENT			

CONTROLS

**4.1.1.1 Residential
Density and Dwelling
Size**

NA

**4.1.2 Height of
Buildings**

The blade walls do not change the height of the building.

**4.1.3 FSR
per LEP 0.6:1**

NA

4.1.4 Setbacks & Building Separation

x

✓

4.1.4.3 Variations to side setback in Residential Density Areas D3

✓

The blade walls located in the rear courtyard ground level are within the side and rear set backs although because they are aligned with the boundary fences, they appear as if they are part of the boundary fence. They will be finished to match the finish and colour of the existing boundary fences.

The blade walls are compliant with part (b) in that they:

- contain no windows
- are less than 3m in height
- are less than 35% of the north site boundary.
- match the finish of the adjacent walls & fences.
- Satisfy the objectives of the setback in the DCP in that there is no overshadowing of living spaces, no loss of view and no impediment to the property maintenance.

The blade wall at the south boundary is 40% of the south site boundary which is only slightly more than the 35%, yet has no adverse impact to the neighbours. Due to the height and density of the existing trees which No. 22 Denison has planted on their side of the boundary, the blade wall will not be visible nor cast shadow onto their lawn area.

South boundary looking towards No. 22 Dennison



North boundary looking towards No. 62 Pittwater Rd.

4.1.5 Open Space and Landscaping	✓	✓	The blade walls do not change open space or landscape areas.
4.1.7 First Floor & Roof Addition	✓	✓	The attic balcony blade wall is integrated with same materials as the attic addition.
5.2 Pittwater Road Conservation Area	✓	✓	The site is located in the Pittwater Road Conservation Area . Character of the dwelling and streetscape are maintained with the proposal. The blade walls have no impact on the conservation area.



NEIGHBOUR CONSULTATION

The applicants have engaged with the relevant owners of neighbouring properties (No. 22 Denison and Nos. 62-64 Pittwater road) regarding the proposed modifications. Neither neighbour seemed preoccupied by the proposal and did not voice concerns about the blade walls or the glass blocks to optimise a safer fire protection.

5.0 CONCLUSION

This is a proposal for minor alterations to DA 2018/0598 which are entirely to the rear of the existing dwellings:

- From the outset it has been the applicant's intent to clearly achieve a design that respects and preserves the character of the existing dwelling and streetscape.
- Complies with the fire safety requirements of the BCA which is for the safety of the applicants and neighbours.
- A high level of architectural design which: supports the existing building typology; suits the topography; is sympathetic to its neighbours and the streetscape; and keeps within the acceptable development parameters for overshadowing, privacy, and scale;
- A sensitively designed alteration to a property that seeks to accommodate the basic desire for privacy and outdoor living space of its owners while fitting in with the characteristics of the Manly area and remaining respectful of neighbours.
- Complies with Conservation Area objectives in maintaining existing public streetscapes and characteristics, contributing to the architectural diversity of the area while being mindful of the traditional built forms;

In view of its merits and the absence of any adverse effects, the proposed development application is lodged with the intent of meeting the expectations and approval of Council.