

Project:

## Proposed New Residential Dwelling

Site:

**Lot 8 DP 1260507, 20 Swan Street,  
Morpeth**

Applicant:

**Brad Lantry**

Date:

**August 2021**



## Table of Contents

<b>INTRODUCTION.....</b>	<b>1</b>
<b>SUBJECT SITE AND LAND.....</b>	<b>2</b>
<b>DESCRIPTION OF PROPOSAL.....</b>	<b><u>4</u></b>
<b>SECTION 4.15C MATTERS FOR CONSIDERATION.....</b>	<b>5</b>
<b>MAITLAND DEVELOPMENT CONTROL PLAN.....</b>	<b>6</b>
<b>Conclusion .....</b>	<b>17</b>

## INTRODUCTION

This statement of environmental effects accompanies a development application (DA) for the construction consent (CC) for the construction of a new residential dwelling. It is intended to elaborate, where necessary, on aspects covered in the drawings as well as to provide additional information where required. The information following is provided to detail the merit of the above development in relation to the objective performance criteria and provisions set out in the Maitland Citywide Development Control Plan – Part C – Design Guidelines – C.5 Heritage Conservation, Part C – Design Guidelines – C.8 Residential Design and Part E– Special Precincts – 5 Morpeth Heritage Conservation Area as well as relevant State Environmental Planning Policies and the Local Environmental Plan 2011. It also provides an assessment of the likely environmental impacts in accordance with section 4.15C of the Environmental Planning and Assessment Act 1979. It is proposed to construct a residential dwelling on a lot that is located in a new subdivision however the proposed will be built in a size and scale that matches the size of the lot and the design will be in keeping with the context of the greater surrounding areas.

Element	Design Criteria
Site area	707.6 m <sup>2</sup>
Zoning	R1

## SUBJECT SITE AND LAND

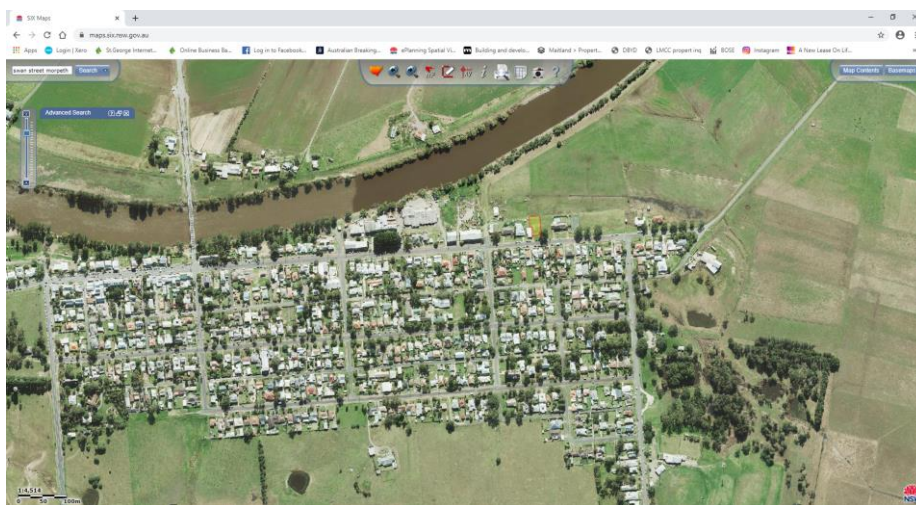


The site is identified as Lot 8, DP 1260507, 20 Swan Street, Morpeth

The site is located on the northern side of Swan Street, and the site is currently vacant.

The adjoining neighboring properties are residential with farmland views to the rear of the property across the Hunter River. To the east and west new vacant lots are also being developed.

There are no known potential contaminations on the site.



**Location**

The site is located on the main Street of Morpeth, Swan Street, and forms part of a recently approved sub-division at the eastern end.

The land is within close proximity to a good range of urban services including local shops, schools and recreational facilities. Land uses within the locality are primarily residential and commercial with agricultural land further afield.

### **Vegetation and Fauna**

There is no significant vegetation in the area where the proposed works are to take place. There is however a series of existing fig trees fronting Swan street which are to be protected. The surrounds are primarily productive farmland, existing residential dwelling and vacant lots also being developed.

### **Drainage**

The subject site has a gentle fall from the south (front) to north (rear) of the site. The site has an existing stormwater easement with drainage in place on the adjoining undeveloped site; the new downpipes will connect to rainwater tank and overflow to existing stormwater drainage system.

### **Access and Utility Services**

The subject site is accessed via Swan Street which is the principal street of Morpeth and the subject of moderate to low traffic movements and the eastern end.

The subject site has access to a range of utility services including electricity, telephone and reticulated water.

### **Aboriginal and European Heritage**

The site is not known to include items of Aboriginal or European heritage. Existing European landmarks occur in the verge fronting the site and are noted and well clear of any development proposed

### **Mine Subsidence**

The subject land is not located within a proclaimed mine subsidence district (under section 15 of the Mine Subsidence Compensation Act 1961).

### **Bushfire Hazard**

The proposed development site is not located within a bush fire prone area. A Bush Fire Risk Assessment is not required in this instance.

## DESCRIPTION OF PROPOSAL

The applicant seeks to develop the allotment through the construction consent for a new residential dwelling.

The proposed dwelling will consist of double garage, 3 beds with walk in robe and ensuite to main bathroom with separate wc, lounge room and laundry. As well as an open plan family, meals and kitchen with direct access to an undercover alfresco rear deck area. A formal living room has also been included. The proposed residence will also have a front verandah in keeping with Heritage guidelines and the covenant for the developed lots

The proposed residence will be built of concrete slab on ground, F.C sheet cladding walls, timber framed roofing, with colorbond roof sheeting and will be built in a size and scale that matches in the surrounding area. The lot is located in a new subdivision however the proposed dwelling will be built in a size and scale that matches the size of the lot and the design will be in keeping with the context of the greater surrounding areas.



The proposal has been assessed having regard to the relevant matters for consideration under Section 4.15c of the Environmental Planning and Assessment Act 1979. The Matters are assessed under the following sections.

## **SECTION 4.15C(1)(a)(i) – ENVIRONMENTAL PLANNING INSTRUMENTS**

### **Maitland Local Environmental Plan 2012**

The Maitland Local Environmental Plan 2012 (MLEP 2012) applies to the subject site.

The site is Zoned R1 and the proposal is permissible with Councils consent.

There are no clauses of the LEP that are particularly relevant in the assessment of the proposal but the proposal is consistent with its aims and objectives.

### **State Environmental Planning Policy 60 (SEPP 60) – Exempt and Complying Development**

### **State Environmental Planning Policy BASIX (SEPP BASIX) – Building Sustainability Index**

## **SECTION 4.15C (1) (a) (ii) – ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT**

There are no draft environmental planning instruments relating to the proposal

## **SECTION 4.15C(1)(a)(iii) – ANY DEVELOPMENT CONTROL PLAN**

### **Maitland Citywide Development Control Plan (DCP 2012) – Part C– Design Guidelines – C.8 Residential Design**

The Maitland Citywide Development Control Plan – Part C – Design Guidelines – C.8 Residential Design applies to the subject site.

The Maitland Citywide Development Control Plan – Part C – Design Guidelines – C.8 Residential Design applies to the subject site, an assessment of the proposal against the relevant provisions contained in the DCP is provided in the table on the following pages.

## Design Criteria

**Section C.8.2**  
Site Analysis and Context

The objective of this section is to ensure residential development is of a high quality and is sensitive to the existing character of the area and the opportunities and constraints of both the site and its surrounds.

A detailed site analysis plan has been included with the development application including the elements listed in this section.

The site analysis and site context analysis has been taken into account to produce a design solution which mitigates against potential negative impacts and integrates appropriately with the vicinity by the use of materials used predominately through-out the locality and the single storey nature of the development. Residential addresses have been listed in the 88B as examples to inform the design and these have been considered when designing the dwelling. Single storey has been suggested as the preferred development type.

**Section C.8.3**  
Development Incorporating Existing Dwellings

The objectives of this section are to ensure that, where possible, existing buildings are retained and used for ongoing residential use, to ensure that buildings and streetscapes of conservation significance are retained and incorporated into new development where possible and to ensure that existing dwellings are provided a high standard of amenity and facilities when being incorporated into a residential redevelopment.

The proposed works will take place on a vacant block in a new subdivision

**Section C.8.4**  
Bulk Earthwork and Retaining Walls

The objectives of this section are to ensure that development responds sensitively to the topography of the land, to restrict and control excessive earthworks in order to preserve, as much as practicable, the existing topography and character of the neighbourhood affected by the proposed development. Ensure that the building design is appropriate for site conditions with consideration given to the stability and privacy of the adjoining properties, solar access, amenity and bulk, height and scale at the boundary and to minimise the effect of disturbance on any land and ensure that dangerous/unstable excavations are avoided, or where necessary, are properly retained.

The proposed dwelling will be on a concrete slab on ground and will require minimal cut and fill. The slab will have raised edge beams to ensure the house presents as being of bearer and joist construction. A further step in the slab will ensure the moderate slope of the site will be met by the dwelling design.

Although the 88B suggests slab on ground design is not appropriate it has been considered in the past that development in Heritage Conservation Areas can support slab on ground construction provided deepened edge beams raise the surface level of the slab 400mm or so to give the impression the development is similar to bearers and joist construction.

Further retaining walls are proposed to the rear as the clients seeks to address an area of steeper slope through filling and making the rear yard more usable. Details are provided in the attached plans including retaining wall details.

## Provision

## Assessment

### Section C.8.5 Street Building Setbacks

The objectives of this section are to provide setbacks that complement the streetscape, allow flexibility in the siting of buildings and allow for landscape settings and open space requirements, and to ensure that new development establishes appropriate and attractive streetscapes which reinforce the function of the street and is sensitive to the landscape and environmental conditions of locality.

The proposed dwelling will have a front boundary setback of 5000mm to the main building line which meets council's minimum requirements. Although located in a heritage area the dwelling is located in a new subdivision and as such no established setbacks to meet. The garage is setback to the rear of the building ensuring it is recessive. The garage is 13030mm front the front boundary and setback some 8030mm from the front building line further ensuring its recessive nature.

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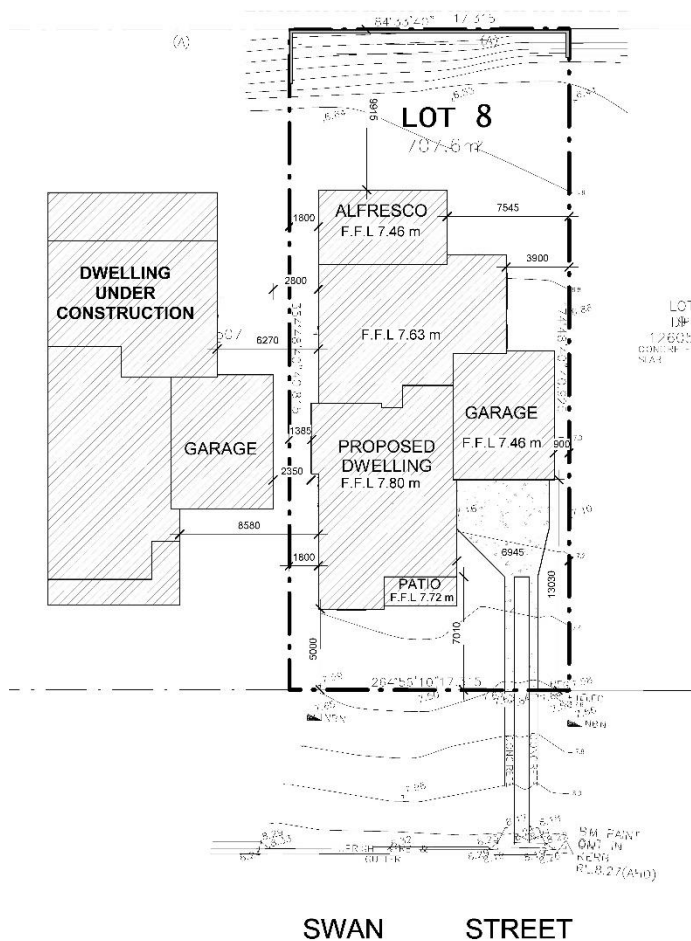
### Section C.8.6 Side and Rear Setbacks

The objectives of this section are to allow flexibility in the siting of buildings and provision of side and rear setbacks, and to allow adequate setbacks for landscaping, privacy, natural light and ventilation between buildings.

The side setback to the East is 900mm for the dwelling. This is a blank garage wall and will offer no privacy impacts to the neighbours.

The western setback is primarily 1800mm to the main building line, with an area of side wall that contributes to the articulation of the long run of wall, being setback 1385mm. Whilst these western setbacks could be considered less than the guidelines proposed in the 88B to one boundary, they are, when read in conjunction with the setbacks to the adjoining property in keeping with the intent of the control. The opportunity exists for the feeling of separation between buildings (2800mm minimum) and 8580mm between adjoining principal building lines, and a view corridor also exists.

See sketch below



## Provision

## Assessment

### Section C.8.7 Site Coverage

The objectives of this section are to promote on-site stormwater infiltration by restricting site coverage of buildings and hard surfaces, and to maximize opportunities to landscaping of the site which incorporate larger scale plantings consistent with reducing the visual impact of hard building finishes and promoting improved amenity within the site and enhanced streetscapes.

The proposed works are of a moderate scale (278 sq/m) and will have a site coverage of %, well within council's maximum requirements of 60%. This allows for large amounts of unbuilt areas for soft landscaping and other shrubs/plantings act to soften the visual impact of the building. Vegetable patches and fruit trees are encouraged.

### Section C.8.8 Building Height, Bulk and Scale

The objectives of this section are to ensure that the height, scale, and length of new development is not excessive and relates well to the local context and overall site constraints, to ensure that the amenity of surrounding properties is properly considered and to minimise site disturbance and cut and fill.

The proposed dwelling will be built of concrete slab construction with brick veneer walls with some fibre cement clad wall highlights, timber framed roofing, with colorbond roof sheeting and will be built in a size and scale that matches in the surrounding area. The lot is located in a new subdivision however the proposed dwelling will be built in a size and scale that matches the size of the adjoining residences and the design will be in keeping with the context of the greater surrounding areas. Standard wall and roof heights and a moderate footprint mean the proposed dwelling will be keeping with surrounding development from a size and scale perspective.

The overall height of the development will be well below Council's allowable 8 metres.

### Section C.8.9 External Appearance

The objectives of this section are to encourage the creation of attractive, well designed residential development, to allow flexibility in design and use of materials while encouraging high architectural standards, and to ensure food design, which provides continuity of character between existing building forms, new development and surrounding landscape by using selection and/or combination of characteristic elements and mass.

Given the proposed lot and dwelling are located in a new subdivision there is a varying streetscape to fit within. Typically, as noted in the 88B adjoining properties to the Southern side of Swan Street should inform the design. This has been taken into consideration when designing this residence. The inclusion of a front verandah is as suggested in the 88B and further architectural features support the Heritage guidelines without implementing faux heritage items such as finials and verandah brackets. Brick veneer is the prominent building material and will be of a consistent texture and colour. Fibre cement cladding boards in a heritage profile have been chosen as an alternative to brick work in variable highlight locations.

Traditional roof forms are incorporated into the design as are vertically proportioned windows in keeping with Heritage Guidelines. The dwelling will sit comfortably within the streetscape that has been developed along the new sub-division of Swan Street.

## Provision

## Assessment

### Section C.8.10 Open Space

The objective of this section are to provide sufficient and accessible open space for the reasonable recreational needs of residents, to ensure that private open space meets requirements for privacy of the residents and adjoining properties, safety, access to outdoor activities and landscaping and to locate open space to take into account of outlook, natural features of the site and neighbouring buildings or public open space.

The proposed dwelling and the size of the lot allow for generous private open space in addition to undercover areas of verandahs and decks. In excess of ?? sq/m of grassed/landscaped open space area is accessed directly off the rear deck. An area of usable open space is available to the residences from the front verandah within the front boundary setback.

### Section C.8.11 Sites Having a Boundary to a Laneway

This site does not have a boundary to laneway and thus this section is not applicable to the proposed development

### Section C.8.12 Accessibility ad Adaptable Housing

Although not specifically designed for disabled access the proposed dwelling has elements that allow for ease of access for disabled persons. 1300mm wide hall ways, generous open spaces in the family/meals, living, kitchen, pantry/laundry area and the new bathroom, and minimum 820mm doors would allow for a disabled person to maneuver around the house. **The house would be deemed compliant with at least the minimum requirements of the 'Livable Housing' Guide.**

### Section C.8.13 Landscape Design

The objectives of this section are to enhance the appearance, amenity, and energy efficiency of new development for the benefit of users and the community in general, to encourage the integration of building and landscape elements, to blend new development into an established streetscape and neighbourhood, and to encourage the use of native species.

The siting of the proposed dwelling and size of the lot allows for generous amounts of soft landscaping as well as other shrubs, plants and more significant trees/plantings that all act to soften the impact of the building on the street scape.

The landscape design has been kept simple with species softening the hard surfaces such as the driveway and enhancing the front façade elements. Given the traditional nature of the dwelling and its location, species from MCC's recommended species in heritage areas have been chosen. The rear yard will be altogether different with its rural aspect and as such it is recommended to have a vegetable patch as well as the potential for fruit trees.

**Section C.8.14** Fencing and Walls The objective of this section is to ensure that all fences and walls provide privacy, security and noise attenuation without having a detrimental impact upon the streetscape, adjacent buildings, or the use of open space areas within the development.

The front fence is proposed as a simple 1200mm picket fence as detailed on the landscape plan. The side fencing forward of the building line will consist of a maximum 1200mm timber paling fence tapering to an 1800mm paling fence beyond the building line and to the rear boundary. The rear fence will be an open chain wire rural style fence 1200mm in height.

**Section C.8.15** Driveway Access and Car Parking The objectives of this section are to provide convenient, accessible and safe parking to meet the needs of residents and visitors which do not dominate the streetscape or cause congestion in nearby streets, and to encourage the design of access and parking as part of the overall landscape design.

The proposed dwelling is accessed via Swan Street with previously built driveway strips directing the driveway location. It is proposed to continue these strips to the front building line and from there to provide a more solid base consisting of concrete pavement. This area may see some parked cars in front of the garage and is designed to reduce the visible concrete hardstand. The location of the garage to the rear of the lot is accessed by this driveway and the addition of landscaping will be used to visually reduce its impacts. The double garage with the ability for stack parking will comply with Council's minimum requirements of 2 parks for dwelling over 3 bedrooms.

**Section C.8.16** Views, and Visual and Acoustic Privacy The objectives of this section are to encourage the sharing of views whilst not restricting reasonable development potential of a site, to site and design buildings to meet projected user requirements for visual and acoustic privacy and to protect the visual and acoustic privacy of nearby buildings and private open space.

The proposed dwelling has been designed and sited to make sure that sharing of privacy and views between the proposed and any neighbouring dwelling is not compromised. The western boundary has an 1800mm setback principally and consists primarily of a bedroom and ensuite window, the latter being hi-set. An 1800mm high solid fence along this boundary further ensures privacy from the nearest point of the adjoining property which is principally a blank garage wall. The open alfresco area is slightly elevated, so landscaping has been included alongside the eastern boundary to enable privacy enhancements. The western end of the alfresco area will be screened using horizontal slats.

On the eastern side boundary, the setback is only 900mm to the blank garage wall which offers no real privacy impacts. A much-increased setback of 3900mm to the building line and 7545mm to the alfresco area enhances the privacy as will the inclusion of mature landscaping.

An 1800mm solid fence also enhances privacy to this area.

## Provision

## Assessment

### **Section C.8.17** Energy Conservation

The objectives of this section are to reduce total water and energy use in residential buildings in accordance with State Environmental Planning Policy – Building and Sustainability Index (SEPP BASIX), to provide dwellings with adequate solar access and ventilation, to avoid overshadowing of habitable rooms and private open spaces and to encourage the use of building materials that are energy efficient, non-harmful and environmentally sound.

The dwelling has a compliant Basix certificate.

Living areas are orientated to the north and limited windows with access to the west and east. Other windows are well shaded by verandahs and decks. The development will be well insulated in accordance with BASIX requirements

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### **Section C.8.18** Stormwater Management

The objectives of this section are to provide effective stormwater management system which is sustainable and requires minimal maintenance, to prevent erosion, sedimentation and other pollution and to ensure that control flows are provided to cater for stormwater overflows.

The subject site has a moderate fall from the south (front) to north (rear) of the site. The site has an existing stormwater easement with drainage in place on the adjoining undeveloped site; the new downpipes will connect to rainwater tank and overflow to existing stormwater drainage system

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### **Section C.8.19** Security, Site Facilities and Services

The objectives of this section are to provide adequate personal and property security for residents, and to ensure that site facilities are designed to be functional, visually attractive and easy to maintain.

The proposed dwelling maintains casual surveillance of the street, functional and visually unattractive facilities such as bin storage and clothes drying areas are set to the side and out of site.

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## Maitland Citywide Development Control Plan (DCP 2012) – Part C – Design Guidelines – C.5 Heritage Conservation

The Maitland Citywide Development Control Plan – Part C – Design Guidelines – C.5 Heritage Conservation applies to the subject site. The aims of this section are to ensure that new development involving heritage items and buildings in a conservation area will respect and enhance the heritage character of the building and their surrounding area.

The Conservation and design guidelines – general requirement for alterations and additions in historic areas applies to the subject site. An assessment of the proposal against the relevant provisions contained in the DCP is provided in the table on the following pages.

## Design Criteria

**Section C5.2** The aim of this section are to ensure that siting of new buildings respect the significance and character of the surrounding area.

**Siting A New Building**

The proposed dwelling is located in a new subdivision and as such there are no established patterns for the immediate area, however the proposed dwelling meets council's minimum requirements. As suggested above the proposed dwelling has been designed and sited to make sure that sharing of privacy and views between the proposed and any neighbouring dwelling is not compromised.  
The garage is at the rear of the building and full width. An internal access way to the rear is included

**Section C5.3** The aims of this section are to ensure scale of the new building respects the significance and character of the surrounding area nor detrimentally impacts upon an established pattern of development in the vicinity

**Scale**

The moderate scale of the new dwelling relates well to the size of the allotment and is in keeping with similar sized dwellings in the area. The new dwelling is single storey in keeping with the majority of the area. It is informed as suggested in the 88B by the surrounding buildings on the southern side of Swan Street.

The roof line to the west, although elongated, has a feature hip incursion to add visual interest to this side of the design.

**Section C5.4** The aim of this section is to ensure that proportions of the new building respect the significance and character of the surrounding area.

**Proportions**

The proposed dwelling is of a modest size and scale that matches the size of the lot and similar lot sizes and designs in the new subdivision. This size is also typical of similar dwellings in the heritage area, with 2.7m minimum ceilings and 30° pitch roof and vertical openings of proportions that are typical of the area.



## Provision

## Assessment

### Section C5.5

#### Setbacks

The aim of this section is to ensure that the setback of the new building respects the significance and character of the surrounding area.

The proposed dwelling will have a front boundary setback of 5000mm to the main building line which meets council's minimum requirements. Although located in a heritage area the dwelling is located in a new subdivision and as such no established setbacks to meet. The garage is setback to the rear of the building ensuring it is recessive..

The proposed dwelling will have a front boundary setback of 5000mm to the main building line which meets council's minimum requirements. Although located in a heritage area the dwelling is located in a new subdivision and as such no established setbacks to meet. The garage is setback to the rear of the building ensuring it is recessive. The garage is 13030mm front the front boundary and setback some 8030mm from the front building line further ensuring its recessive nature.

The western setback is primarily 1800mm to the main building line, with an area of side wall that contributes to the articulation of the long run of wall, being setback 1385mm. Whilst these western setbacks could be considered less than the guidelines proposed in the 88B to one boundary, they are, when read in conjunction with the setbacks to the adjoining property in keeping with the intent of the control. The opportunity exists for the feeling of separation between buildings (2800mm minimum) and 8580mm between adjoining principal building lines, and a view corridor also exists.

### Section C5.6

#### Forms and Massing

The aims of this section are to ensure that the form and massing of new buildings respect the significance and character of the surrounding area.

The building design has been cognizant of addressing roof forms and massing. Simple, traditional roof forms including hips and gables plus verandahs help break up any massing. The modest footprint also reduces the bulkiness and the design will be in keeping with the context of the greater surrounding areas

### Section C5.7

#### Landscaping

The aims of this section are to ensure that new landscaping respects the significant characteristics and elements of the surrounding area.

The siting of the proposed dwelling and size of the lot allows for generous amounts of soft landscaping as well as other shrubs, plants and more significant trees/plantings that all act to soften the impact of the building on the street scape.

Landscaping to the front setback has been kept simple with species softening the hard surfaces such as the driveway and enhancing the front façade elements. Given the traditional nature of the dwelling and its location, species from MCC's recommended species in heritage areas have been chosen.

The rear yard will be altogether different with its rural aspect and as such it is recommended to have a vegetable path as well as optional of fruit trees



Provision	Assessment
<b>Section C5.8</b> Detailing	<p>The aims of this section are to ensure that detailing on new buildings respects but does not imitate original detailing on older surrounding buildings</p> <p>The proposed dwelling does not mimic any specific heritage elements as such but certainly pays homage to the Federation era. A simply projected gable and verandah and the incorporation of a Dutch feature gable could be considered the only traditional element in the design. Verandahs, whilst traditional, are encouraged in the 88B. Further architectural features support the Heritage guidelines without implementing faux heritage items such as finials and verandah brackets.</p>
<b>Section C5.9</b> Building Elements & Materials	<p>The aim of this section is to ensure that the use of materials and colours of the new building respect the significance and character of the surrounding area</p> <p>The windows throughout the proposed dwelling are typically of a vertical proportion, larger windows to front and rear are broken up with vertical mullions in 900mm wide modules. All windows are proposed as wide frame aluminium.</p> <p>High set windows to the eastern side still remain traditional in their form through the use of multiple of windows when forming wide openings</p> <p>The roof will be colorbond roof sheeting with a custom orb profile which meets council's requirements whilst a timber fascia and ogee profile guttering will be used.</p> <p>External walls will primarily be brickwork with flush mortar, cladding to gables and popouts are to be weatherboards in a heritage appropriate profile.</p>
<b>Section C5.10</b> New Commercial Building in Heritage Areas	<p>This section is not applicable.</p>
<b>Section C5.11</b> New Development in the Vicinity of Heritage Items	<p>The aim of this section is to ensure that new buildings provide a setting for the adjoining heritage item so that its historical context and heritage significance are maintained</p> <p>The proposed dwelling is not located next to or in close proximity to a specific heritage item thus this section is not applicable</p>

## Maitland Citywide Development Control Plan (DCP 2012) – Part E– Special Precincts – 5 Morpeth Heritage Conservation Area

The Maitland Citywide Development Control Plan – Part E – Special Precincts – 5 Morpeth Heritage Conservation Area applies to the subject site.

The character statement of Morpeth is defined by single storey detached dwellings of various ages. Small numbers of attached dwellings exist as well as two storey dwellings as well as large historic homes. Allotment sizes vary considerably throughout the town with allotments along Swan street consisting of smaller lots than areas on the edge of the township. Swan Street has a diversity of building forms initiating to the west with predominantly a commercial streetscape before evolving into residential areas and punctuated in some places with industrial areas. The eastern end of Swan street housing the new sub-division is primarily residential before evolving into a rural landscape.

The general design requirements suggest maintaining the single storey detached nature of development within the residential area to which the proposal complies. The guidelines further suggest that new development should respond to typical characteristics in the vicinity in the choice of materials, size, roof form and pitch and site planning. The proposed dwelling, we believe is a highly successful response to this requirement as outlined in the section above.

The general design guidelines suggest that garage openings should not form part of the main street elevation and that opening should be substantially setback from the front building line in excess of 5 metres or be connected to the rear of the building. This has been comfortably achieved with the proposed design with the garage attached toward the rear and substantially setback with its roof form being incorporated into the rear of the dwelling's roof lines as opposed to the more forward roof which has its own character. The 88B suggest the garage should be detached and setback behind the rear building line however this is in conflict with both the Part E– Special Precincts – 5 Morpeth Heritage Conservation Area guidelines and the need for modern buildings in conservation areas to provide practical internal access to new dwellings. Recent experience with development in Heritage Conservation areas indicates that attached recessive garages are allowable when ameliorated through substantial setbacks and rear locations. Recently and formerly approved examples of this predominate new development in the Lorn conservation Area as well as in Morpeth and in fact in this specific sub-division.

Important view corridors and rural surrounds are to remain and as part of the approval of the sub-division and Lot 9 has a restriction of use to maintain such a rural outlook from the established areas of Morpeth.

Setbacks are additionally addressed in the guidelines suggesting that the standard 900mm is acceptable to one side boundary and that the opposite side should have a larger setback in the vicinity of 2.5-3.5 metres. This has been addressed in some detail in the above responses to the DCP

Guidelines relating to fencing have been addressed in the plans, more typically relating to the specifics in the 88B instrument.

#### **SECTION 4.15C (1) (a) (iiia) – PLANNING AGREEMENTS**

There are no planning agreements.

#### **SECTION 4.15C (1) (a) (IV) – REGULATIONS**

There are no matters prescribed by the regulations for the proposal.

#### **SECTION 4.15C (1) (b) – LIKELY IMPACTS**

The proposed development will have no adverse impact.

#### **SECTION 4.15C (1) (c) – SUITABILITY OF THE SITE FOR DEVELOPMENT**

The proposed residential dwelling is entirely suitable for the site due to its location.

#### **SECTION 4.15C (1) (d) – ANY SUBMISSIONS**

To be considered by Council should notification be required.

#### **SECTION 4.15C (1) (e) – THE PUBLIC INTEREST**

For reasons set out in this statement. It is considered that there will be no public interest in the proposed, given the absence of any demonstrable adverse impacts

## CONCLUSION

The site is both capable of and suitable for the proposed development. We believe we have achieved an excellent outcome for the clients and also for Council in regard to the dwelling's location in a new sub-division in a Heritage Conservation area

The proposal generally meets the requirements set out in Maitland Citywide Development Control Plan – Part C –C.8 Residential Design. Where it does not justification has been given as to where the design does not meet exact requirements but works to minimise any negative points through other thought out design/planning points.

The proposed design is in keeping with the character of the existing streetscape and surrounding area. The new dwelling will be fully integrated with the existing neighbouring dwellings through selection of materials and building style. Although being of a modest scale, the dwelling will fit within the scale of the existing dwellings and has been designed to fit within the streetscape which will continue to evolve.

It is therefore requested that council grant consent to the development application