



STATEMENT OF ENVIRONMENTAL EFFECTS

Single Dwelling House Development and Secondary Dwelling

A REPORT PREPARED BY PIPER PLANNING FOR:

ELK Designs

132 High Street, Morpeth

Rev. A - 20/10/22



DOCUMENT NOTES

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1. INTRODUCTION

This Statement of Environmental Effects (SEE) relates to the premises known as No. 132 High Street, Morpeth. The document accompanies a Development Application for the construction of a single dwelling and secondary dwelling on behalf of ELK Designs.

This submission follows initial consultation with Council's Duty Planner. During those discussions, Council acknowledged a preferred front building line, garaging to be located to the rear and the requirement for the design to be informed by the heritage context. In conjunction with that advice, the architect has engaged Heritas Architecture to provide guidance and advice to the suitability of the architectural form. The design is representative of those inputs and advice.

This SEE and Development Application have been prepared in response to the statutory provisions applicable to the development.



2. PROPERTY DETAILS

2.1 SUMMARY

Applicant	Elk Designs
Landowner:	Szecsodi
Property Address:	Lot 2, DP 1091700, H/N 132 High Street, Morpeth 2321
Zone:	R1 – General Residential
Calculations	Lot Area: 317.1m ² Development Footprint: 136m ²
Existing Improvements:	Vacant Allotment



2.2 SITE CONTEXT AND EXISTING IMPROVEMENTS

The subject allotment is located within the Morpeth Heritage Conservation Area. The site is in close proximity to the urban centre. The allotment is rectangular in shape and displays a slightly sloped topography falling from the south-east to the north-west. The site displays a sparse cover of introduced grass species, with some domestic plantings to the western boundary.

The site is located within an R1 General Residential zone and is located approximately 30m south-west of the Morpeth Local Area and approximately 65m east of the RU2 Rural Landscape zone. The site is clear of bushfire affectations. The site is affected under a Coastal Environment Area and Coastal Use Area.

We note the site is located in proximity to heritage items I214, I197 and I216. Significant views can be observed further north and south of the allotment.

The subject allotment is surrounded by single dwelling house developments to the north, south and west. The Green Street corridor is located east of the allotment where a future development would derive pedestrian and vehicular access into the site.

A process of consolidated investment is occurring in the local area, driven by increased land values, warranting a higher level of capitalisation. The locality shows a strong undercurrent of consolidation and investment.

Figure 1 outlines the location of the subject site amongst the local context.



Figure 1: Subject allotment within broader locality

Subject Allotment



3. DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 SINGLE DWELLING AND SECONDARY DWELLING DEVELOPMENT

The Applicant seeks to develop the allotment through the construction of a single dwelling house with an attached secondary dwelling. A new garage and driveway will be incorporated to gain vehicular access from Green Street.

The single dwelling house is proposed as a single storey, two-bedroom dwelling, with an open plan configuration of living spaces that relates to an alfresco area. The proposed attached secondary dwelling will be built towards the northern side setback.

The proposal has been designed in response to the heritage context and the preliminary advice from Council. The design provides a considered architectural outcome of conservative scale. The proposal has been designed in consideration to the allotment attributes, facilitating appropriate levels of amenity and function. The conservative scale and placement ensure amenity of neighbouring properties is preserved.

The building footprint area of the proposed dwellings is 136m². The maximum height of the dwelling is 6.375m above natural ground level.

Figure 2 indicates the perspective street elevation.



Figure 2: Perspective Street Elevation



4. ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

4.1 SEPP COASTAL MANAGEMENT

The subject premise is located within an area identified as being a Coastal Environment Area and a Coastal Use Area. The following provisions of the SEPP are relevant:

Clause 13

We note the provisions of Clause 13 of the SEPP. The following addresses those matters specifically:

(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,

Measures detailed in the plan set will be implemented during the construction process to mitigate sediment and erosion issues from site. The site will direct runoff (post development) to the existing street infrastructure. The site will be stabilised post construction with endemic species.

(b) coastal environmental values and natural coastal processes,

The development site will be stabilised post construction. The site will direct runoff (post development) to the existing street infrastructure.

As such, we submit that coastal environmental values and natural processes will not be varied above those impacts existing from the current site conditions.

(c) the water quality of the marine estate (within the meaning of the [Marine Estate Management Act 2014](#)), in particular, the cumulative impacts of



the proposed development on any of the sensitive coastal lakes identified in Schedule 1,

N/A

(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,

There should be no impact to these features beyond that of the existing site conditions.

(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

The subject allotment does not have capacity to constrain public access to any foreshore.

(f) Aboriginal cultural heritage, practices and places,

The development will occur predominantly consistent to an already modified portion of the allotment. We therefore submit that the proposal should not constrain aboriginal cultural heritage, practices and places above that of the existing use.

(g) the use of the surf zone.

The location of the subject allotment is such that it has no ability to affect any surf zone.



Clause 14

We note the provisions of Clause 14, which predominantly overlap with Clause 13. Those which do not are addressed below:

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*

The location of the premise is such that it has no ability to affect public access to any foreshore.

- (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*

The development will have no constraint to solar access to any public foreshore area.

- (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*

The proposal does not detract from the setting or present undue visual dominance.

- (v) cultural and built environment heritage.*

The proposed development facilitates low-density residential occupation of the land. The dwelling will consolidate occupation of the locality in a manner considerate of its setting. The dwelling has been designed with expert input from the appointed Heritage Architect. On this basis, it is not considered to detract from the cultural and built environment.



4.2 MAITLAND LOCAL ENVIRONMENT PLAN 2011

The site is located in the R1 – General Residential zone under the Maitland Local Environmental Plan 2011.

Objectives of the R1 zone:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment:

An assessment of the proposed development against the relevant clauses of the Maitland Local Environmental Plan 2011 finds that the proposal development supports the above intentions and will ultimately provide improved facilities for the needs of residents. The erection of single dwelling, secondary dwelling and detached garage are permissible within the zone with Council's consent.

The proposed form is considered to compliment the character displayed by development throughout the locality and therefore is considered appropriate to context.

The proposal seeks to reinforce the amenity of the area through providing an attractive built form with minimal impact on the qualities of the existing environment. The proposal seeks to reinforce an urban community that is distinct and diverse and includes a range of housing types and activities.

The subject allotment has not been identified within the Height of Buildings Map and the Floor Space Ratio Map.



Controls Relating to Miscellaneous Permissible Uses

The proposed development includes an attached secondary dwelling. Clause 5.4(9) requires that secondary dwellings have a maximum floor area less than 60m² or 50% of the total floor area of the principal dwelling (whichever is greater). The proposed secondary dwelling displays an area of 57m², being compliant with LEP provisions in this regard.

Acid Sulfate Soils

The subject allotment is shown to contain Class 5 acid sulfate soils per the Acid Sulfate Soils LEP mapping instrument. The construction of the proposed development does not require substantial earthworks. The disturbance of acid sulfate soils is not expected as a result of this proposal.

Heritage Conservation

The subject allotment is located within the Morpeth Heritage Conservation Area and is located near General Heritage Items – I214, I197, I216. The proposal incorporates permitted land uses and so will not be distinct or impactful (in terms of its architectural impact to the setting). The design is the result of expert input from the appointed Heritage Architect. The development sits within all relevant massing controls and so it will not be unduly overbearing or constrain the visual appearance of the neighbouring heritage items and heritage area. It has no ability to impact the historical purpose of the neighbouring heritage items.



As such, we submit that the proposed development is suitable to context and will not constrain the attributes of the area/items.



4.3 MAITLAND DEVELOPMENT CONTROL PLAN 2011

The following aspects of the City Wide DCP apply to the development.

Part E Section 5 – Morpeth Heritage Conservation Area

General Design Requirements – The development proposes a single storey dwelling and attached secondary dwelling, following Council’s objectives for the area. The height of the development is conservative and considerate to the setting. The proposed architectural style of the development follows that shown within the locality and so will sit comfortably within that setting. The design retains a positive streetscape outlook towards Green Street, with a clearly legible sense of street address and capacity for casual surveillance. Appropriate levels of landscape contribution are included within the street setback.

The proposed garage structure is substantially setback (8.351m) away from the street and so its openings will have minimal presentation towards the Green Street corridor.

On this basis, the development will sit comfortably within its streetscape setting.

Setbacks – DCP provisions require setbacks to be a minimum 2m for premises along Green Street. The proposal provides an eastern street setback of 2.071m to the forward most elements, being compliant in this regard. The dwelling façade is retracted to a 3.271m setback. The single garage is proposed an eastern street setback of 8.351m towards the Green Street corridor.



The proposal incorporates a northern side setback of 0.9m and a southern side setback of more than 2.5m, while the proposed garage provides a southern side setback of 0.92m. We note that the bulk presented towards the street predominantly consists of the primary dwelling, whilst minimal presentation is displayed by the proposed garage. Due to the configuration of proposed structures within the allotment, views are maintained between premises and the proposal retains the low-density character of the locality. We seek merit-based assessment in this regard.

Garages, Carports, Sheds – The subject allotment displays a frontage to the Green Street corridor. The proposed detached single garage will be placed by the rear of the building. The associated garage will have one storey while retaining the height and scale of the overall development.

Part C.8 – Residential Design

Rear Setbacks – DCP provisions require rear setbacks to be a minimum 1.0m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m. The development proposes a western rear setback of 3.41m, being compliant in this regard.

Site Coverage and Unbuilt Area – The DCP requires a maximum site coverage of 60% of total lot area and 40% of unbuilt area. The lot area is displayed as 317.1m² and therefore should have a maximum site coverage of 190.26m². The proposal incorporates 136m² of built area, being 43% of the total lot. The minimum unbuilt area requirement has also been met, being more than 40% of the total lot area.



We submit the proposal as compliant with DCP provisions in this regard.

Building Height, Bulk and Scale – The DCP prescribes a maximum height of 8m for single dwellings within residential zones. However, we note the subject allotment is located within the Morpeth Conservation Area and so the proposal should remain a similar height to neighbouring dwellings and non-obstructing to the surrounding allotments from significant views.

The overall maximum height of the building is 6.375m above natural ground level. The proposed single storey design is consistent with the established character of locality and under the maximum height permissible within the zone.

We submit the proposal as compliant in this regard.

Open Space – The proposed development provides a generous area of private open space, enjoying good levels of solar access throughout the day. The alfresco space, oriented to the west, displays a substantial area suitable for passive use. Wider contiguous yard spaces around the dwelling can also act for open space areas. Given these are located towards the rear of the allotment, they will retain suitable levels of privacy and amenity. These areas are directly accessible from the habitable living areas and displays suitable topography.

The development adheres to prescriptive DCP provisions in this regard.

Driveway Access – The proposed drive gradient, transitions and width comply with the prescriptive provisions of the DCP. The drive is located



suitably clear of the side boundary to the adjoining premises, enabling safe access and egress to the road corridor.

Car Parking – The proposal requires 2 car parking spaces. A single garage is proposed within the allotment next to the primary dwelling. The proposed development provides sufficient space on the drive hardstand for the parking of an additional vehicle which enables for parking in accordance with DCP provisions.

We note that the design represents a balanced distribution of building mass amongst landscape elements. The site is well connected to road networks and is in reasonable proximity to the town centre.

We submit the proposal as appropriate in terms of car parking provisions.

Views – The proposed development remains single storey and seeks to retain the views observed towards the north and south of the allotment. We submit the proposal as compliant in this regard.

Privacy – The proposed development primarily orients views from ground floor level living rooms to the rear yard space, which are suitable screened from adjoining yard spaces by way of standard boundary fence installations. Privacy is maintained as a function of boundary fencing due to the proposal being at ground floor. No overlooking capacity would occur to the neighbours' principal private open space and habitable living areas as a result of the proposal.

We submit the proposal as compliant to DCP provisions.



Security, Site Facilities and Services – The proposal incorporates street facing decks and east facing windows from bedrooms to provide casual surveillance to the street.

Both the primary and secondary dwelling will each have their own direct pedestrian access towards the Green Street corridor. Garbage storage areas are obscured away from the street as shown within the plan set (within the side boundary setbacks). Fold down clothes drying facilities are provided towards the rear of the allotment, minimising its presentation towards the street and facilitating preservation of suitable overall open space allocations.

All site facilities are designed to be functional, easily maintained and visually incorporated into the streetscape. The development will be serviced with the requirements of the service provider met.

Water and Energy Conservation – The proposed development has been considered against the provisions of SEPP Basix and a Certificate issued accordingly.



5. 4.15 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

5.1 OVERVIEW

In this Section, the proposed development has been assessed having regard to the relevant matters for consideration under Clause 4.15 of the Environmental Planning and Assessment Amendment Act, 1997, which a consent authority must consider in determining an application.

5.2 THE PROVISION OF ANY EPI

Consideration is given to the Maitland LEP 2011 is discussed in Section 4.1.

5.3 THE PROVISION OF ANY DRAFT EPI

No applicable Draft applies.

5.4 ANY DEVELOPMENT CONTROL PLAN

Consideration of the Development Control Plan 2011 is discussed in Section 4.2.

5.5 ANY MATTERS PRESCRIBED BY THE REGULATIONS

Not applicable to this application.

5.6 LIKELY IMPACTS OF THE DEVELOPMENT

5.6.1 Context and setting

The proposed development and use of the premises for a residential purpose will complement the surrounding context.



5.6.2 Public domain

The proposal will have no impact on the public domain. No external works are proposed.

5.6.3 Utilities

All installations will meet the requirements under the Australian Standards and the Building Code of Australia.

5.6.4 Social and Economic impact in the locality

The proposed development will provide impetus and vitality to the locality and is therefore considered appropriate.

5.6.5 Site design and internal design

The site is considered ideal to the needs of the proposal. The design suitably responds to the attributes of the site.

5.6.6 Cumulative Impacts

The cumulative impact of the development on the character of the neighbourhood is expected to be negligible.

5.7 SITE SUITABILITY

The subject site is considered ideal to the requirements of the Applicant. No variation to site formation or infrastructure is required.

5.8 SUBMISSIONS

The Consent Authority will need to consider any submissions received in response to the public exhibition of the proposed development.



5.9 THE PUBLIC INTEREST

There are no known Federal or State Government policy statements and/or strategies that are relevant to this particular case. We are not aware of any other circumstances that are relevant to the consideration of this development application.

6. CONCLUSION

The proposal is identified as Local Development under the terms of the Environmental Planning and Assessment Act 1979 and has been assessed against the requirements of Clause 4.15 of the Act, Maitland Local Environmental Plan 2011 and the Development Control Plan 2011. It is considered that the proposal satisfies the aims and objectives as well as the prescriptive requirements of the above controls.

The proposal will provide elevation, form and style consistent to that of development throughout the locality and in consideration of zoning objectives, the development is entirely appropriate.

As such, the proposal for the development of a single dwelling house, secondary dwelling and detached garage upon Lot 2, DP 1091700 H/N 132 High Street, Morpeth is an appropriate response to context, setting and planning instruments. Approval is recommended.