

STATEMENT OF ENVIRONMENTAL EFFECTS



Applicant:
Rawson Homes
PO Box 3099
RHODES NSW 2138

Site Address:
Lot 136 DP 1219918
6 Enfield Avenue
CAERLEON NSW 2580

Construction of a single storey dwelling and detached secondary dwelling.

INTRODUCTION

This Statement of Environmental Effects is submitted to Mid-Western Regional Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the erection of a new single storey dwelling containing four (4) bedrooms with a detached secondary dwelling.

The site is a rectangular shaped allotment, with primary frontage to Enfield Avenue with a total site area of 910m². The lot is currently vacant and forms part of a recent subdivision undergoing construction. No trees or vegetation require removal in order to appropriately site the dwelling.

The site has a moderate fall to the rear of the site, with drainage to be directed to an approved system as per the drainage details.

The neighbourhood is currently contains a general mix of detached single and two storey contemporary dwellings as expected within a recently established residential area.

The proposed dwelling will contribute positively to the surrounding area and the streetscape of Enfield Avenue.

ENVIRONMENTAL EFFECTS

The following sections address the matters for consideration as listed in Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

This Statement of Environmental Effects addresses the following relevant Environmental Planning Instruments:

- Mid-Western Regional Local Environmental Plan 2012
- Mid-Western Regional Development Control Plan 2013
 - Appendix C - Caerleon

4.15 EVALUATION

(1) Matters for Consideration – general:

(a)(i) Relevant environmental planning instruments

Mid-Western Local Environmental Plan 2012

The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

The subject site is zoned R1 General Residential pursuant to Clause 2.1 of Mid-Western Local Environmental Plan 2012.

The proposed development is defined in the plan as a *'dwelling house'*, being *'a building containing only one dwelling'* and *'secondary dwelling'* defined as *'a self-contained dwelling that—*

- (a) is established in conjunction with another dwelling (the principal dwelling), and*
- (b) is on the same lot of land as the principal dwelling, and*
- (c) is located within, or is attached to, or is separate from, the principal dwelling.'*

The proposed dwelling and secondary dwelling are defined as 'residential accommodation' within the LEP and are therefore a permissible form of development within the Zone.

Clause 2.3 Zone objectives and land use table

The objectives of the R1 Zone are:

- *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.*

The proposed dwelling provides for the housing needs of the new community, being compatible with the existing and future character of the locality. The proposal is designed to provide a high level of amenity for its residents whilst considering the natural constraints of the site. The secondary dwelling provides for a variety in housing options and will not limit development of surrounding sites. The proposed development provides for a variety in the housing type and density of the area and will not disturb other land uses.

The proposed development is considered to meet the objectives of the R1 Zone.

Clause 4.6 Exceptions to development standards

The development does not contravene any development standards within the LEP.

Clause 5.4 Controls relating to miscellaneous permissible uses

(9) Secondary dwellings on land other than land in a rural zone If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—

- (a) 60 square metres,*
- (b) 50% of the total floor area of the principal dwelling.*

The secondary dwelling has a total floor area of 56.5m² complying with the above requirement.

Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance or being within proximity of a heritage item.

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Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy the relevant objectives and development standards relating to dual occupancies as contained within MWLEP 2012.

(a)(ii) Relevant draft environmental planning instruments

There are no draft environmental planning instruments that would prevent the subject development from proceeding.

(a)(iii) Relevant development control plans

Mid-Western Development Control Plan 2013

PART 2

2.1 – General Housing and Ancillary Structures “Deemed-to-satisfy” Provisions

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>Setbacks</u> R1 – Primary – 4.5m or average of adjoining. 5.5m to garage. Side/Rear – 900mm Secondary – 2m	6.5m Min. 1.5m N/A	Yes Yes N/A
<u>Height</u> Single Storey FFL <1m above NGL.	Single storey dwelling and detached secondary dwelling proposed. <1m above NGL.	Yes Yes
<u>Design</u> 75% of POS and living areas should have access to sunlights for 3hrs between 9am and 3pm. 80sqm of POS areas to be provided with min. dimension 5m. Facades not to be windowless at street frontage(s). Garage door <45% of front elevation of dwelling.	North to front of site, with reasonable levels of solar access to POS and living areas provided. Provided, min. 5m dimension to 80sqm or POS area. Windows and openings provided to street elevation. 24.9%	Yes Yes Yes Yes
<u>Parking</u> Two spaces, with one undercover to be provided behind the building line.	Two spaces provided within attached garage for primary dwelling.	Yes
<u>Utilities</u>	Site is located within a recent subdivision, reticulated water	Yes

	assumed available. Appropriate stormwater drainage system provided.	Yes
<u>Fencing</u>	No fencing proposed as part of this application.	N/A
<u>Access</u> Driveways located min. 6m from intersection.	Provided.	Yes
<u>Slope, Cut and Fill</u> Slope cannot exceed 15 degrees. Max. cut – 1m. Max. fill – 600mm. Any cut/fill must be provided with retaining walls, drainage and must be setback a min. 300mm from any boundary.	Slope not in excess of 15 degrees. 450mm cut proposed. Max. 450mm fill. Suitable battering of cut and fill to be provided and incorporated into drainage design.	N/A Yes Yes Yes
<u>Energy Efficiency</u>	BASIX Certificate accompanies the application.	Yes

Appendix C - Caerleon

5.2 Building Design

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>Built Form and Building Envelope</u> <i>650m²-999m²</i>		
Building Line – 5.5m	6.5m	Yes
Articulation Zone – 1m	N/A	N/A
Garage Line – 6.5m	7.5m	Yes
Side – 900mm	Min. 1.5m	Yes
Rear – 3m	1.5m to secondary dwelling.	No*
Secondary – 3m	N/A	N/A

Projections into side/rear setbacks include eaves, gutters, downpipes, etc.	N/A	N/A
Building facades within the articulation zone shall consist of a mix of: -articulation or steps; -entry features; -awnings; -eaves and sun shading; -window to habitable space; -balcony or window box treatment; -recessing or projecting features; -verandahs; -bay windows or similar features.	Façade provided with entry feature and recessed design features. The dwelling will be appropriate for the area and is a modern dwelling design provided with articulation features and material changes to provide interest.	Yes
<u>Landscaping</u> Min. 20% POS area.	>20% of area capable of being POS.	Yes
<u>Vehicle Access, Car Parking and Garage Design</u> Min. driveway width – 3m. Min. 1m setback from boundary. Garage max. 50% of street elevation.	3.5m >1m from setback. <50% f street elevation.	Yes Yes Yes
<u>Fencing</u>	Fencing not proposed as part of this application.	N/A
<u>Waste Disposal</u>	Waste storage areas suitably provided and hidden from public view.	Yes
<u>Earthworks</u> Max. 600mm cut or fill. Setback of 900mm from boundary.	<600mm cut and fill proposed. Capable of complying.	Yes Yes

Rear Setback – Council requires a minimum 3m ground rear setback for development in Caerleon. The development proposes a setback of 1.5m to the rear for the detached secondary dwelling, which remains in keeping with the requirements for outbuildings and sheds, which is considered reasonable. The decreased setback is largely to allow greater separation between the principal and secondary dwelling. No impact to adjoining properties at the rear is anticipated given the single storey nature of the dwelling and suitable setback in keeping with other ancillary/outbuildings permissible.

The proposed rear setback is not anticipated to provide any detrimental impact outside a compliant proposal, with the minor variation unlikely to impact upon spatial separation or amenity of the residents. As the dwelling is single storey, there are no anticipated privacy impacts of the reduced setback, with the design unlikely to provide for any opportunities for overlooking. Suitable POS, landscape and outdoor areas are provided for both the primary and secondary dwellings despite the variation. As such, the minor variation is capable of maintaining the objectives of the control despite the numerical variation.

No adverse or unreasonable impact upon privacy is anticipated and the general streetscape and spatial separation of dwellings is maintained to ensure compliance with the objectives of the controls are maintained.

The proposal poses no detrimental impacts outside a compliant development or outbuilding. It is requested Council consider the secondary dwelling rear setback in this instance.

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Conclusion with respect to DCP requirements

The proposal generally complies with the objectives of the relevant development controls relating to dwellings, as contained within the Mid-Western Development Control Plan 2012.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.

The following matters are considered relevant when considering onsite impacts.

Siting and Design

The proposed single storey dwelling and detached secondary dwelling will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The siting of the dwelling will provide generous boundary setbacks, contributing to spatial separation and openness between the dwellings. The articulated design of the dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade is appropriately articulated and contains a variety of roof forms and elements and a central entry feature. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

Sedimentation Control

Due to the topography of the site, minor excavation and filling will be required for the construction of a level building platform, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or stacked hay bales. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

Noise and Vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

(c) The suitability of the site for the development

The subject site is within a new residential area, within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations and access to each site.

The construction of a single storey dwelling and detached secondary dwelling, can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding residential setting.

The development is permissible with development consent under the provisions of Mid-Western LEP 2013, and generally satisfies the objectives of the relevant development control plans as discussed above.

(d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As this proposal can reasonably satisfy the objectives of all relevant planning instruments and development control plans, approval of the subject development is considered to be in the public interest.

CONCLUSION

The residential use of the site is permissible with development consent under the provisions of Mid-Western LEP 2012 and can satisfy the objectives of the relevant development control plan.

It is considered that the single storey dwelling and detached secondary dwelling will complement and blend with the existing character of Caerleon. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

Local Consultancy Services
February 2024