

STATEMENT OF ENVIRONMENTAL EFFECTS

**Proposed Alterations and Additions
And Secondary Dwelling**

125 Priam Street, Chester Hill

9 April 2025
Prepared by Chapman Planning
Member PIA

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1.0 INTRODUCTION and SUMMARY

This statement has been prepared on behalf of *Nicholas Lycenko Architects* as part of the supporting documentation for a development application in relation to 125 Priam Street, Chester Hill.

The development proposal is for alterations and additions to an existing dwelling and construction of a secondary dwelling located at the rear of the subject site.

The subject site currently contains a single storey dwelling house, detached fibro garage, concrete paved driveway along the side boundary, rear yard landscaping, garden bed and storage sheds.

The subject site is located within the R2 – Low Density Residential zone under the Canterbury-Bankstown Local Environmental Plan 2023, and the proposed alterations and additions to the existing dwelling house are permissible. Secondary Dwellings are also permitted with consent pursuant to clause 50 SEPP (Housing) 2021.

The surrounding locality is primarily defined by one (1) to two (2) storey single dwelling houses, noting that secondary dwellings are not uncommon in this area. Various amenities are within the sites reach including public parks of Frank Bamfield Oval – 600m and Burton Reserve – 200m walking distance. Schools include Sefton High School 500m north east of the subject site and the town centre is a direct south bound walk of 350m.

The subject site is located in close proximity to public transport, with a bus stop along the neighbouring street frontage (Stop ID: 216284). This bus stop connects the site to Chester Hill town centre through to Auburn station and local centre.

In addition to this Statement of Environmental Effects the development application is accompanied by:

- *Survey Plan dated 29th August 2023, prepared by TECA Surveyors;*
- *Architectural Plans Sheet A001 – A5001, dated 9th June 2023, prepared by Nicholas Lycenko Architect;*
- *Shadow Diagrams prepared by Nicholas Lycenko Architect.*
- *Landscaping Plans prepared by Zenith Landscape Designs and dated 2nd April 2024*
- *Stormwater Design Plans dated 12th February 2024, and prepared by MBC Engineering ;*
- *Basix Certificate reference numbers A1743638 and 1743681S.*

In this report, the proposal is presented and assessed in relation to the relevant planning controls, being:

- *State Environmental Planning Policy (Sustainable Buildings) 2022;*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021;*

- *State Environmental Planning Policy (Resilience and Hazards) 2021;*
- *State Environmental Planning Policy (Housing) 2021;*
- *Canterbury-Bankstown Local Environmental Plan (LEP) 2023;*
- *Canterbury-Bankstown Development Control Plan (DCP) 2023; and*
- *S4.15(1) Environmental Planning and Assessment Act 1979.*

2.0 SITE and CONTEXT

2.1 Site Description

The legal property description of the site is Lot 11 in DP 205012, known as 125 Priam Street, Chester Hill. The subject site is a rectangular shaped allotment with a frontage of 16.765m to Priam Street, maximum depth of 48.77m, and a site area of 817.50m².

The subject site currently contains a single storey dwelling house, detached fibro garage with concrete paved driveway along the side boundary, rear yard landscaping, garden bed and storage sheds.

The subject site contains car parking at the rear of the site with a traditional concrete driveway running along the side boundary to a detached garage. The rear of the site consists of soft landscaping and a paved area extending from the driveway.

The subject site has a fall from the north-western boundary to the rear south-eastern portion of the site at RL 34.31 to RL 31.70 respectively (fall of 2.61).

The subject site is shown in the following aerial photograph.



Source: SIX Maps Viewer

The subject site is shown in the following photographs:

Photograph 1 depicts the subject site as viewed from Priam Street.



Source: *Chapman Planning*

Photograph 2 depicts the approximate location of the proposed secondary dwelling in the rear yard of the subject site.



Source: *Chapman Planning*

2.2 Locality Description

The subject site is located within the R2 – Low Density Residential zone under the Canterbury-Bankstown Local Environmental Plan 2023. The subject site is located on the eastern side of Priam Street, approximately 350m north of the Chester Hill town centre. It is a rectangular allotment with a depth of 48.77m and a width to the street front of 16.765m. It is legally identified as Lot 11 in DP205012.

The surrounding locality is primarily defined by one (1) to two (2) storey dwelling houses, noting that secondary dwellings are not uncommon in this area. Various amenities are within the sites reach including public parks of Frank Bamfield Oval – 600m and Burton Reserve – 200m well within walking distance. Schools include Sefton High School at a 500m distance and a direct south bound walk of 350m to the local town centre.

The subject site is located adjoining public transport, with a bus stop along the street frontage to Priam Street (Stop ID: 216284). This connects the site to Chester hill town centre and through to Auburn station and town centre.

The location of the site and its locality is shown in the aerial below.



Source: Google Imagery 2024

The streetscape and surrounding development is depicted in the following photographs:

Photograph 3 depicts the Priam streetscape facing north from the site.



Source: *Chapman Planning*

Photograph 4 depicts the Priam streetscape facing south from the site.



Source: *Chapman Planning*

Photograph 5 depicts the subject site and adjacent dwelling to the north as viewed from Priam Street.



Source: *Chapman Planning*

Photograph 6 depicts the development on the southern side of Priam Street as viewed from the subject site.



Source: *Chapman Planning*

3.0 DEVELOPMENT PROPOSAL

The development proposal is for alterations and additions to an existing dwelling house and construction of a secondary dwelling at the rear of the subject site.

The development proposal is described as follows:

- **Demolition**

To accommodate the development, demolition of the existing garage and rear storage sheds are proposed alongside the removal of ancillary ramping and pavement to the rear of the existing building.

- **Alterations and Additions**

The existing dwelling is proposed to be extended towards the rear. The additions will be accessible through the existing hallway and new ramping at an accessible slope of 1:20 to the new works. The works include four (4) additional bedrooms each with a separate bathroom. An additional lounge room is proposed facing the rear yard.

The dwellings pitched roof form is to be retained and extended to cover the new portion of the building.

The existing garage is to be removed and be replaced with a new carport supported by metal structural beams and located within the southern side setback. The roof form will be composed of both metal deck and colour-bond capping.

- **Secondary Dwelling**

A detached secondary dwelling is to be located at the eastern (rear) portion of the subject site.

The secondary dwelling consists of two (2) bedrooms with attached bathrooms, lounge dining and kitchen. The total internal floor area is 60m².

A 20m² gym room is attached to this building.

The roofing has been designed with a pitched roof form to match the primary dwelling.

- **Landscaping**

The existing site consists of overgrown and unmaintained landscaping area with disorganised concrete paving cutting through soft landscaped areas. The proposal revitalises these front and rear landscaped areas of the site and meets the provisions of the Canterbury-Bankstown DCP.

Trees are proposed to the site one (1) Native Frangipani in the front setback area and one (1) Water Gum in the rear yard. Privacy planting and slated privacy screens are proposed along the eastern rear portion of the site to further mitigate any privacy issues and enhance upon the existing landscaped scene of the site.

- **Building Design / Materials and Finishes**

The proposed alterations and additions to the existing dwelling have been designed to reflect the architectural character of the existing dwelling house at the subject site, however include some differences in materiality to encourage visual interest when viewed from side boundaries. External walls are consistent with the existing site character and that of the locality. The materials and finishes are to compose of pitched Marseille Mars roof tiles, painted white face brick and galvanised red gloss steel elements to ensure a cohesive overall building design.

4.0 PLANNING LEGISLATION AND CONTROLS

4.1 State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX certificate has been prepared for alterations and additions and a proposed secondary dwelling to the subject site demonstrating that the development complies with the State Government's water and energy reduction targets.

4.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of the SEPP (Biodiversity and Conservation) 2021 provides provisions for vegetation in non-rural areas. The aims of this Chapter are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The development does not involve the remove of trees, instead it proposes two (2) new trees to the subject site. The proposed alterations and additions and secondary dwelling do not impact any significant vegetation on the subject site, To accommodate the works the landscaped area has been altered at the rear. Front landscaping is not reduced and is proposed to remain. Dwelling extensions to the dwelling house are partially occurring over existing concrete ramping and part concrete paved areas.

The consent authority – Canterbury-Bankstown Council can be assured that there is no impact to protected vegetation.

4.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of SEPP (Resilience and Hazards) 2021 requires the consent authority to consider whether land is contaminated and if contaminated the

consent authority must be satisfied that the land is suitable for the proposed use. The subject site has been historically used for residential purposes since the 1950s and maintains this use with a secondary dwelling proposed for the rear yard and extensions to an existing dwelling.



Source: Historical Image Viewer

In this instance the consent authority Canterbury-Bankstown Council can be satisfied that clause 4 of the SEPP has been assessed and the land is suitable for the proposed use.

4.4 State Environmental Planning Policy (Housing) 2021

SEPP Housing contains provisions for the consent authority to consider affordable and diverse housing outside the scope of the Local Planning Instruments – LEP and DCPs.

This statement proposes a secondary dwelling and therefore the development standards under Chapter 3, Part 1 of the SEPP apply. The proposed secondary dwelling has a floor area of 60m², on a lot size of 817.50m², and is therefore consistent with the bulk and scale envisaged by the SEPP standards, and is appropriate and comfortably accommodated on the subject site.

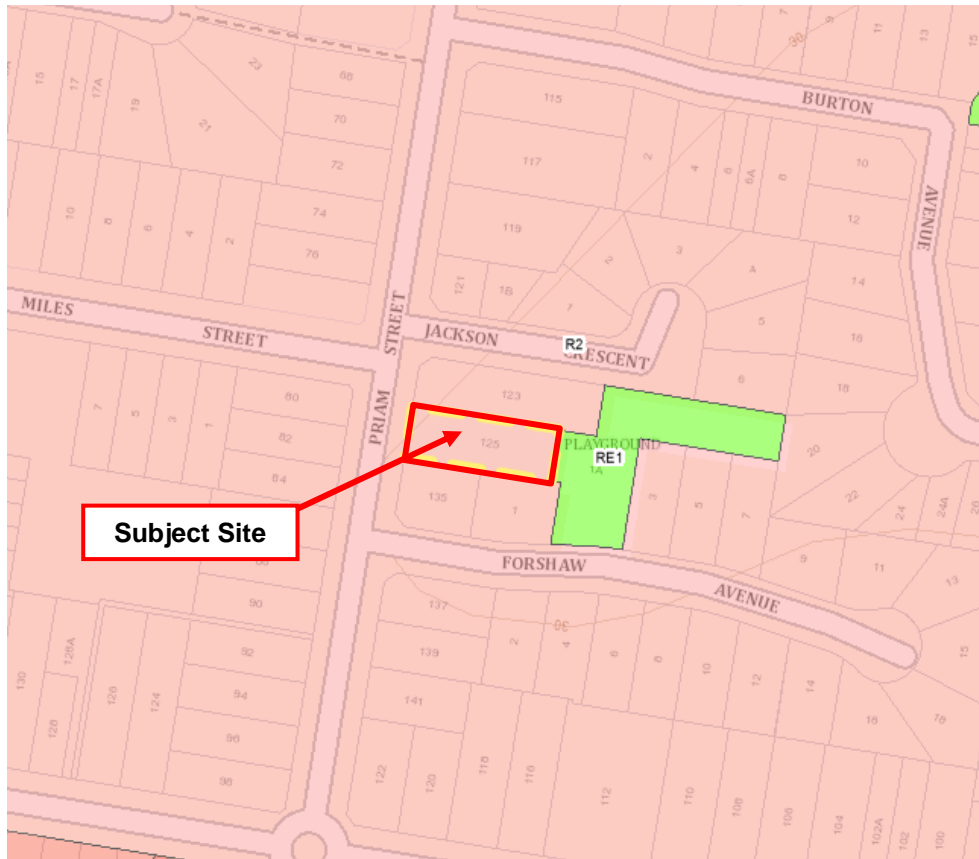
Section 5 of this statement addresses all the quantitative components of the Housing SEPP.

4.5 Canterbury Bankstown Local Environmental Plan 2023

The subject site is zoned R2 – Low Density Residential under the *Canterbury-Bankstown Local Environmental Plan 2023* where both *dwelling houses* and *Secondary dwellings* are permissible with development consent.

Secondary Dwellings are also permitted with consent pursuant to clause 50 SEPP (Housing) 2021.

The following map shows the zoning of the subject site.



Source: Espatial Planning Viewer

The objectives of the R2 – Low Density Residential zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.
- To ensure suitable landscaping in the low density residential environment.
- To minimise and manage traffic and parking impacts.

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To promote a high standard of urban design and local amenity.*

The proposed extension and secondary dwelling achieves the relevant objectives of the low density residential zone based on the following assessment:

- The development provides additional housing stock to meet the housing needs of the community.
- The development adds to the variety of housing types within the locality and is suitable within the low density residential environment.
- New landscaping works will revitalise the open space on the site and is appropriately situated amongst the development.
- The additions to the subject site will not cause any adverse traffic impacts.
- The proposal will not result in unreasonable amenity impacts to the adjoining properties having regard to solar access, visual and acoustic privacy as addressed within Section 6 of this statement.

Part 4 of the LEP contains building height and FSR development standards and these are addressed in the Development Control Table.

Clause 4.3 Height of Buildings contains the building height standard for the subject site, with reference to the height of buildings map being 9m. The proposed dwelling has a maximum height of 7.8m and therefore complies with the development standard.

Clause 4.3(2A)(a) applies a maximum height of 6m for secondary dwellings located within the R2 low density residential within "Area 1" of the clause identification map. The proposed secondary dwelling presents a maximum height of 4.76m meeting this requirement.

Clause 4.3(2B) applies a maximum wall height of 3m for detached secondary dwellings located within the R2 low density residential within "Area 1" of the clause identification map. The proposed secondary dwelling presents a maximum wall height of 3m meeting this requirement.

Clause 4.3(2C) applies a maximum wall height of 7m dwellings located within the R2 low density residential within "Area 1" of the clause identification map. The proposed alterations to the dwelling present a maximum wall height of 4.6m meeting this requirement.

Clause 4.4 Floor Space Ratio contains the FSR standard for the subject site, with reference to the FSR map being 0.5:1. The subject site has an area of 817.50m² and as such has a maximum permissible gross floor area of 408.75m². The proposed secondary dwelling and existing primary dwelling

have a combined gross floor area of 339m², resulting in an FSR of 0.415:1 which complies with the development standard.

Clause 5.4 Miscellaneous permissible uses contains the following standard pursuant to clause 5.4(9)

(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) 10% of the total floor area of the principal dwelling.*

The proposed floor area of the secondary dwelling is 60m² and meets the requirements of this clause given (9a) is the greater numeric and the one applicable in this instance.

Clause 5.10 Heritage Conservation does not apply to the development application noting the subject site is not identified as a heritage item or located within a heritage conservation area.

Clause 5.21 Flood Planning does not apply to the development application as the site is not identified as being flood affected.

Clause 6.1 Acid Sulfate Soils contains requirements relating to land affected by Acid Sulfate Soils. The site is not mapped as containing Acid Sulfate soils.

Clause 6.2 Earthworks applies to the development proposal, noting that any earthworks or excavation required to accommodate the proposed alterations and additions to the existing dwelling house and secondary dwelling are minor in nature and ancillary to the installation of structural supports, and as such are unlikely to have a detrimental effect on the viability or stability of the land. Additionally, the development proposal is supported by a Stormwater Management Plan prepared by *MBC Engineering*.

The proposal is supported by stormwater plans prepared by *MBC Engineering* confirming the run off from the site will be effectively managed.

Clause 6.3 Stormwater management and water sensitive urban design applies to the development proposal. The proposal is supported by stormwater plans prepared by *MBC Engineering* confirming the run off from the site will be effectively managed.

Clause 6.9 Essential Services applies to the proposal. In this case, the consent authority – Canterbury Bankstown Council – can be satisfied that the proposed alterations and additions to the existing dwelling house and secondary dwelling at the subject site are supported by the provision of all essential services, including with respect to stormwater drainage, noting the

development proposal is supported by a Stormwater Management Plan prepared by *MBC Engineering*.

4.6 Canterbury - Bankstown Development Control Plan 2023

The proposal is subject to the controls contained within Chapter 2 – Site Considerations, Chapter 3 – General Requirements, Chapter 5 – Residential Accommodation of the Canterbury-Bankstown DCP 2023 which are addressed under the following headings in this section.

The relevant numerical controls are addressed in the Development Control Table at Section 5 of this statement, with residential amenity provisions such as solar access and visual/acoustic privacy being addressed in Section 6 of this statement.

Chapter 3 – General Requirements

3.1.3 – Stormwater drainage systems

The development proposal is accompanied by a Stormwater Management Plan prepared by *MBC Engineering* which demonstrates compliance with this section of the DCP.

3.2.3 Car Parking

Car Parking rates are consistent with the provisions in this section of the DCP and are outlined in Section 5 of this report.

3.3.3 – Waste Management (Residential Development)

The development proposes waste bins in accordance and in exceedance with the generations rates as outlined in the DCP. Bins are provided as follows:

Waste (140L collected weekly): Two (2) x 140L

Recycling (120L collected fortnightly): Two (2) x 240L

Garden Organics (120L collected fortnightly): One (1) x 240L

3.4 Sustainable Development

This section contains design principles relating to water conservation and energy minimisation. A BASIX certificate has been prepared for the alterations and additions and new secondary dwelling and complies with the State Government's water and energy reduction targets.

3.7 Landscape

New landscaping is to complement the existing landscaping and improve the quality of the streetscape. Development, including alterations and additions, minimises earthworks (cut and fill) in order to conserve site soil. The development provides additional landscaping works and the planting of two (2)

trees as discussed above and shown in the landscaping plan prepared by Zenith Landscape Designs.

Chapter 5 – Development in Residential Areas

5.1 – Desired Future Character contains design character principles relating to the existing character of the immediate locality and streetscape.

C1 Low density residential areas

The desired character is to have a low density residential environment in Zone R2 where the typical features are dwelling houses, dual occupancies, secondary dwellings, and ancillary development within a generous landscaped setting. The site cover and building form of development must be compatible with the prevailing suburban character and amenity of this zone. This zone is also the most restrictive in terms of other permitted uses that are considered suitable. These are generally restricted to facilities and services that meet the day-to-day needs of residents.

The proposed alterations and additions and secondary dwelling are consistent with the above provision based on the following assessment.

- The alterations and additions are designed within a single storey form at the rear of the existing dwelling. The additions have been designed to follow the established setbacks of the dwelling, presenting an appropriate relationship between the built form on the subject site and the surrounding suburban character.
- The secondary dwelling is detached from the principal dwelling, located at the rear of the site. The secondary dwelling has been positioned to provide appropriate shared private open space areas for both dwellings and meets setback and building height controls.
- The proposed building works maintain a site coverage and landscape setting consistent with the requirements of the Canterbury-Bankstown DCP.

5.2 – Dwelling Houses

Storey Limit

The proposed alterations and additions to the dwelling remain a single storey. The secondary dwelling is also single storey. Extension of the dwelling house is compatible with the existing slope and contours of the site and adjoining properties.

Noting the site slope, the addition is stepped below the existing dwelling. Reinforced concrete pad footings and brick piers are proposed to support the building weight and design a continuous built form which is harmonious with the existing dwelling. The addition is at the rear of the site, and the elevation from these footings do not create any adverse overlooking or contravention to the height of building. Screening is provided alongside and rear boundaries including 1800mm high timber paling or Colourbond fencing to side and rear

boundaries as well as 400mm slatted privacy screen above 1.8m fence adjacent to new secondary dwelling

Building Design

The proposed alterations and additions to the existing dwelling have been designed to reflect the architectural character of the existing dwelling house at the subject site, and are largely imperceptible from the streetscape and public domain at Priam Street. The roof form is consistent to the existing pitch and no attics is proposed. The maximum roof pitch for the dwellings are 35 degrees.

The car parking is proposed along the side boundary and behind the front building line supporting two (2) covered parking spaces for weather protection. Additional parking is available in a stacked arrangement in front of the carport and is at least 6m from the front boundary.

Landscape

No trees exist on the site and the proposed works do not have an effect on the adjoining trees to the site. Landscaping works propose two (2) new trees with one (1) being between the primary street frontage and the dwelling house. Numerical compliance with landscaping provisions are addressed in section 5 of this report. The development application is supported by a landscaping plan prepared by Zenith Landscaping designs.

5.0 DEVELOPMENT CONTROL TABLE

The following table is an assessment of the development proposal in accordance with the relevant numerical planning controls contain

	Proposed	Standard	Compliance
Canterbury Bankstown LEP 2012			
4.3 Height (m)	Max – 7.8m	Max. - 9m	Yes
Secondary Dwelling	4.76m	4.3(2a) – 6m	Yes
Secondary Dwelling – Wall Height	3m	4.3(2b) – 3m wall height	Yes
Wall height	4.6m	4.3 (2c) – 7m wall height	Yes
4.4 FSR	0.41:1 & 339m ²	0.5:1 & 450m ²	Yes

	Proposed	Standard	Compliance
SEPP Housing 2021 – Chapter 3 Diverse Housing			
52. Total floor area of secondary dwelling	60m ²	Max 60m ² or greater floor area permitted under other instrument	Yes
53. Minimum Site area	817.50m ²	450m ²	Yes
53. Parking	Nil increase in parking	Development cannot be refused for nil increase in parking	Yes
Canterbury-Bankstown Development Control Plan 2023			
Chapter 3 - General Requirements			
Parking Rates	Nil increase in parking	2 space per dwelling Secondary dwelling requires 1 space	Yes SEPP Prevails
Chapter 5 – Residential Accommodation			
Section 1 - Dwelling Houses			
Storey Limit	One (1) storey	Two (2) Storey limit	Yes
Setbacks	Front: 7.89m	Front: 5.5m	Yes
	Side: 1.2m (North) 1.4m (South)	Side: 0.9m	Yes
	Carport Nil		Note 1
Private Open Space	>80m ²	80m ²	Yes
		Minimum width 5m	
Building Design	Max 35 degrees	35 degree roof pitch	Yes

	Proposed	Standard	Compliance
Landscape	Complies	45% of front area to be landscaped.	Yes
	One (1) 75L Native Frangipani proposed.	Plant at least one (75L) tree between the dwelling and street frontage.	Yes
Section 3 - Secondary Dwellings			
Lot Size	624.8m ²	450m ²	Yes
Site Cover	60m ²	60m ²	
Storey Limit	Single storey	Detached single storey is to be one storey and maximum wall height of 3m	Yes
	Wall height – 3m		Yes
Fill	Complies	1m above ground	N/A
Setbacks	Front – Dwelling is located at the rear of the property and complies.	Front – 5.5m	Yes
	Side – 0.9m	Side and Rear 0.9m	Yes
	Rear – 0.9m – 2.1m		
Private Open Space	Does not impact sites compliance with P.O.S and Landscape requirements.	Must not impact required landscaped and private open space requirements	Yes

Note: The proposed carport is situated in a similar location to the existing garage. The adjustment is better suited to both the nature of the site and will have no adverse impact on adjoining properties given the space is currently used for vehicular parking.

6.0 ENVIRONMENTAL ASSESSMENT

6.1 Planning Instruments

The planning instruments applying to the subject site and this development proposal are addressed in detail in the previous sections of this report.

In summary, the subject site is zoned R2 Low Density pursuant to the Canterbury-Bankstown LEP 2023 and alterations and additions to the existing *dwelling house* are permissible under the LEP with the consent of Council. *Secondary Dwellings* are permitted with consent pursuant to clause 50 SEPP (Housing) 2021.

The development proposal meets the intent and performance criteria of the development controls contained in the Canterbury-Bankstown DCP 2023 with the proposed secondary dwelling on the subject site being acceptable and not resulting in unreasonable amenity impacts to the adjoining properties with regard to solar access, privacy or view loss.

6.2 Design and Streetscape Qualities

The proposed alterations and additions are intended to enhance liveability, residential amenity, functionality and resident safety at the subject site. The existing dwelling house retains its single-storey character and streetscape presentation at Priam Street with the proposed alterations and additions designed to be consistent with the existing development for a harmonious and cohesive overall dwelling design. The dwelling house as altered by the proposal is of an appropriate built form and scale consistent with neighbouring and nearby development within the Chester Hill locality. The development proposal will not result in an increase to the maximum building height at the subject site or contravene development standards.

The proposed secondary dwelling is consistent with the overall scale of existing residential development within the locality. The proposal provides a form consistent with the planning controls in terms of height, bulk, and scale. Examples of secondary dwellings are located within the vicinity of the site. The proposed dwelling therefore presents a built form that reflects the overall scale of dwellings within the immediate locality. Further, the proposed dwelling is located at the rear of the primary dwelling and will not be readily visible at the street elevation, maintaining the existing streetscape appearance. Additional screening is provided along the boundary fencing where the secondary dwelling is located further mitigating privacy concerns.

The character of the development is compatible with the surrounding residential developments within the locality, presenting a traditional painted brick and pitched roof single storey dwelling as characteristic of buildings in the visual catchment of the site.

The proposal complies with height and FSR standards applicable to the site pursuant to the Canterbury-Bankstown LEP 2023. The scale of the dwelling is

therefore considered to be consistent with the envisioned future character of the locality in terms of density.

Landscaping proposed further align the site with the street character and provisions within the DCP as two (2) trees are to be planted on-site. Selected tiling and paving which slopes with the terrain along the side boundaries lead to the rear yard landscaping. Privacy planting is present where trellis wire are to be attached to the fence providing a climbing frame for plants. Stepped ground covers adjacent to the secondary dwelling are present for occasional maintenance access. Landscape works are to work in tandem with new fencing where 400mm slatted privacy screens sit above 1.8m fence adjacent to the secondary dwelling. The site is fenced by a maximum 1800mm high fence to side and rear boundaries.

In summary, the proposed secondary dwelling meets the intent of the Canterbury-Bankstown DCP objectives and controls relating to design and streetscape qualities.

6.3 Visual and Acoustic Privacy

The proposal has been design to minimise potential visual and acoustic privacy impacts between the proposed dwelling and neighbouring properties. Proposed additions to the existing dwelling house are compliant with setback controls and provide adequate separation from adjoining dwellings. The extensions border an existing garage and are adequately separated from the dwelling house at 123 Priam Street. Similarly the southern boundary faces private open space of 135 Priam Street and 1 Forshaw Avenue.

Windows alongside boundaries area are adequately setback from neighbouring bedrooms and living areas. Proposed windows along the southern boundary are provided from bathrooms and bedrooms and overlook open space. Along the northern boundary the window from the lounge faces an adjoining garage. Side windows and views are further screened by boundary fencing.

New fencing is proposed where 400mm slatted privacy screens sit above 1.8m fence adjacent to the secondary dwelling. The site is further provided with privacy planting amongst a maximum 1800mm high fence to side and rear boundaries to mitigate any overlooking and privacy concerns.

In summary, the proposal is not considered to have significant privacy impacts on adjoining properties. The proposed secondary dwelling meets the intent of the objectives and controls relating to privacy contained in 5.1 (2.17) of the Canterbury-Bankstown DCP.

6.4 Solar Access and Overshadowing

The proposal has been designed to allow adequate sunlight to the additional living areas of the dwelling. Proposed lounge room has a north to east orientation and receives a high degree of solar amenity from morning to midday.

The development proposal will not result in any adverse overshadowing impacts upon the adjoining property at 135 Priam Street or 1 Forshaw Avenue south of the site. Accordingly, the development proposal is consistent with the solar access and overshadowing controls at Part 5.1 (2.12) and (3.14) of the *Canterbury-Bankstown DCP*.

Furthermore, the proposed secondary dwelling has been designed to comply with all building envelope controls of the DCP, including height and setbacks. The proposal therefore results in a dwelling that is of a bulk and scale that is consistent with the envisioned future character of the locality and will not create any unreasonable overshadowing upon adjoining properties to the south or east. Shadow diagrams prepared by *Nicholas Lycenko Architect* confirm that the proposed additions and secondary dwelling allows adequate solar access to the adjoining properties between 9am and 3pm mid-winter.

In summary, the development proposal meets the solar access controls contained in Part 5.1 of the Canterbury Bankstown DCP.

7.0 CONCLUSION

In conclusion it is considered that the proposed development is acceptable under the considerations of S.4.15 of the E.P& A. Act 1979. The following conclusions are made in relation to the development proposal:

- *The proposed secondary dwelling complies with the relevant provisions and non-discretionary standards contained within the SEPP (Housing) 2021.*
- *The proposed alterations and additions to the dwelling house is permissible with the consent of Council pursuant to the Canterbury-Bankstown LEP 2023;*
- *The proposed dwelling has a maximum height of 7.8m and complies with the building height development standard of 9m contained in Clause 4.3 of the Canterbury-Bankstown LEP 2023;*
- *The secondary dwelling has a maximum height of 4.76m and wall height of 3m which is consistent with the additional standards within 4.3 of the Canterbury-Bankstown LEP 2023.*
- *The proposed dwelling has a GFA of 365m² and FSR of 0.44:1 complying with the 0.5:1 floor space ratio development standard contained in Clause 4.4 of the Canterbury-Bankstown LEP 2023,*
- *The proposed dwelling meets the intent and performance criteria of the relevant development controls contained in the Canterbury-Bankstown DCP;*

- *The traditional single storey brick dwelling and secondary dwelling is of a form and character compatible with the primary dwelling on the subject site, and consistent with the immediate locality; and*
- *The proposed single storey form and scale of development is acceptable for the subject site, noting the one and two storey developments surrounding the subject site. The proposal is consistent with the scale of nearby dwellings, and the proposal does not result in unreasonable amenity impacts with regard to overshadowing, loss of views or outlook or privacy impacts.*

For reasons outlined in this Statement of Environmental Effects, it is my opinion that the development application for alterations and additions and a secondary dwelling at 125 Priam Street, Chester Hill should be granted development consent.

Chapman Planning Pty Ltd
Member PIA