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Bleak House: 7 Lawson Street, Mudgee

## **STATEMENT OF ENVIRONMENTAL EFFECTS**

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### **Introduction**

This Statement of Environmental Effects (SOEE) provides an analysis of an application for retrospective change in use of a previously approved secondary building on the site of Bleak House from that of a garage to a “granny flat” to be used for residential occupation.

### **Background**

The owner/applicant purchased and moved into the property in January 2021. At the time of purchase the second dwelling on the site had already been converted into a “granny flat”. It contained a living room, bedroom, study, kitchen and bathroom. The previous owner had leased out the granny flat had been occupied since at least the early 90s and has had two evident changes in kitchen over that time. The previous owner had leased out the property as a short-term rental.

The applicant has since been made aware by council that the change in use of the secondary building (“the cottage”) was not approved by council and now seeks to rectify that omission by seeking retrospective approval.

This SOEE is accompanied by plans showing the pre-existing secondary building, denoted as the “cottage” and highlighted in yellow.

### **Description**

The application is for a change in use only and does not involve any building works. The secondary dwelling has been used and occupied for at least 30 years.

Planning Issues to be considered:

#### **1. Clause 2.3 Zone Objectives and Land Use Table**

The subject property is Zoned R3: Medium Density Residential. The change in use will meet the requirements of this objective as it will be subject to residential use.

#### **2. Clause 4.1 Minimum Subdivision Lot Size**

Whilst the lot size (2605m<sup>2</sup>) exceeds the minimum requirement of 600m<sup>2</sup>, no subdivision is proposed and therefore the proposal meets the requirement of this clause. The secondary building is 84.39m<sup>2</sup>.

#### **3. Clause 4.3 Height of Building**

The existing building is below the maximum building height of 8.5m and has already been approved by council.

#### **4. Clause 5.10 Heritage Conservation**

Refer to attached Heritage Impact Statement accompanying this application.

#### **5. Clause 5.21 Flood Planning**

This clause does not apply as the subject property is not located on a flood planning area as per *Flood Planning Map/Active Street Frontages/Visually Sensitive Land Map Sheet CLI\_006G*

**6. Clause 6.3 Earthworks**

No earthworks are proposed as this is an application for change in use of a pre-existing building only.

**7. Clause 6.4 Ground Water Vulnerability**

This clause is not applicable as no building works are proposed.

**8. Clause 6.5 Terrestrial Biodiversity**

This clause is not applicable as no building works are proposed.

**9. Clause 6.10 Visually Sensitive Land Near Mudgee**

The subject property is not located on land identified as being visually sensitive land and therefore this clause does not apply.

**10. Mid-Western Development Control Plan 2013**

**a) Building Setbacks**

The secondary dwelling does not comply with the required setback from the side boundary to the south however is a pre-existing dwelling that was approved by council.

**b) Building Height**

The secondary dwelling complies with maximum height requirements.

**c) Site Coverage**

Site coverage (including the main house) comprises 403.12m<sup>2</sup>. The total site area is 2605m<sup>2</sup>. Therefore, the total site coverage is 15.5% and complies with site coverage requirements.

**d) Solar Access**

The secondary dwelling's living area faces north and east so has good solar access so complies with this requirement.

**e) Privacy**

The secondary dwelling is single storey and has a floor level that is less than 1000mm above natural ground level.

**f) Parking – two spaces per dwelling**

The subject property has a carport providing two car spaces and a garage to the south side of the main house. There is also an additional hard stand area that provide a further two car spaces. This requirement is satisfied.

**g) Landscaping**

The subject property features a well-established garden, and no changes are proposed.

**h) Open Space**

There is an area to the north of the secondary dwelling that well exceeds 1000m<sup>2</sup> and 5m in dimension. This open area has both north and easterly aspects.

**i) Fencing**

Existing 1.8m fencing is located along the eastern and southern boundaries adjacent to the secondary dwelling.

**11. Environmental Effects**

There will be no detriment to the surrounding environment as no building works are proposed. This application is for retrospective approval of change in use of the secondary building. The use of this building as a granny flat has occurred continuously for the last 30 years or more.

There will be no change to existing and future amenity of the locality.

There is no change to the drainage, storm water and sewerage disposal as no building works are proposed. The secondary building is connected to the town sewer via the same pipes that serve the main house.

There is no change or additions to utility services.