



DEVELOPMENT APPLICATION

SUPPORTING LETTER

LOT 892 (#33A) REEN STREET, ST JAMES

101 Residential Pty Ltd

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2 May 2024

Town of East Victoria Park
Locked Bag 437
VICTORIA PARK WA 6979

Dear Sir/Madam,

**DEVELOPMENT APPLICATION FOR SINGLE RESIDENTIAL DWELLING AT
LOT 892 (NO. 33A) REEN STREET, ST JAMES**

Please find attached an application for Planning approval, copies of the plans and the relevant fee for the above-mentioned property.

All R-Codes provisions (with the exception of site area) are open to the exercise of judgement of the decision-maker based on the design principles and the relevant objective for that element. While the deemed-to-comply provisions do allow for a straight forward pathway to approval, the use of the design principles rather than the deemed-to-comply provisions should not be viewed as non-compliance, but rather an alternative design outcome. We request to have the proposal assessed against a combination of both the design principles and the deemed-to-comply provisions.

Your approval is sought for the relevant design principles of the Residential Design Codes & Streetscape policy.

1. Eaves for all new dwellings

Absence of eaves to a small portion of the front façade does not deviate from the principle aim of the modified acceptable development provisions. The dwelling as a whole reinforces the *local residential character by striving to accommodate existing character dwellings and ensuring that the new proposed development contributes positively to the street environment.*

A portion of the dwelling includes eaves to the front elevation. The width of the ground floor measures at 10.0mm, for which 38% of the width of the dwelling contains eaves (where practical). Appendix 1 is an accurate perspective of some dwellings along Reen Street providing minimal amount of eave coverage, with minimal significance.

There are a number of dwellings along street that do not include enough tangible established character based on the extent of eaves required. The Policy defines the streetscape as per the below. As such, the streetscape in this instance is assessed as proximate dwellings captured in the below images (Appendix 1). The exclusion of eaves to the remainder of the proposed dwelling to the front facade does not have any detrimental impact on the living environment for the occupants, and does not devalue the visual appeal of the current streetscape.

Streetscape is the visual appearance of a street which includes all the area, both publicly and privately owned, lying between the building lines on the opposite sides of the street. Contributing elements include the orientation of development, the scale, proportion and form/shape of the buildings, the siting of development, setbacks, materials, location of parking and related structures, landscaping and fences. In considering whether a proposed building adequately addresses the streetscape, the relevant streetscape is the section of street extending from one cross intersection to the next cross intersection (or as determined by Council whether there is an unusual street configuration), together with the residential properties fronting onto that section of the street.

2. Residential Design Codes Clause 5.1.3 – Lot Boundary Setbacks

- a. Proposed Dining wall setback of 1.08m in lieu of 1.5m to eastern boundary.
- b. Proposed Master suite wall setback of 1.0m in lieu of 1.5m to western boundary.

Justification for this variation is as follows:

- The lot is significantly limited in its design opportunities given its narrow frontage of 10.17m. The design caters to this narrow width with minimal impact on adjoining lots or the streetscape;
- It won't have any impact on the ability of the neighbouring owner to access ventilation and natural sunlight, given the lots orientation.
- The variations to lot boundary setbacks are considered relatively minor, any perceived increase in building bulk will largely be indistinguishable when viewed from the streetscape or the adjoining property;
- The fencing will largely screen the dwelling from view on the adjoining lots. Consequently any overlooking is unlikely to be significant with 1.8m high fencing in place; and
- There is no increase in the potential for overlooking to occur as a result of this variation given it effects on the ground floor of the dwelling.

3. Residential Design Codes Clause 5.1.3 – Walls built up to a lot boundary

- a. Proposed Garage boundary height of 3.75m in lieu of 3.5m

Justification for this variation is as follows:

- The lot is significantly limited in its design opportunities given its narrow frontage and slope across the width of the lot. The design caters to this narrow width with minimal impact on adjoining lots or the streetscape;
- It has been demonstrated that the design caters for the topography with the garage FFL being stepped to reduced any perceived dominance along the streetscape.
- It won't have any impact on the ability of the neighbouring owner to access ventilation and natural sunlight, given the lots orientation and the basis that the proposed garage boundary is being proposed an existing garage boundary wall.
- The variations to lot boundary setbacks are considered relatively minor, any perceived increase in building bulk will largely be indistinguishable when viewed from the streetscape or the adjoining property;
- The fencing will largely screen the dwelling from view on the adjoining lots. Consequently any overlooking is unlikely to be significant; and
- There is no increase in the potential for overlooking to occur as a result of this variation given the boundary wall has not major openings.

4. Residential Design Codes Clause 5.1.4 – Open space

- a. Proposed open space of 44.9% in lieu of 45%.

Justification for this variation is as follows:

- The relatively narrow and limited depth of the lot makes providing adequate internal living areas on the site difficult. The proposal does so without having a detrimental impact on open space available on site.
- The outdoor living area is designed to face providing northern light into the dwelling, ensuring access to direct northern light for the occupants.
- The building height requirements have been met.
- The proposal provides an attractive setting for the development and overall has a positive impact on the locale. Outdoor living areas have been provided to the north of the dwelling. These are significant areas and will be adequate to allow the occupants to pursue outdoor activities.
- In addition, external fixtures and essential facilities have been provided integrated into the dwelling.
- It should be noted, that St James Park is located in close vicinity to the site to the north-east and can be utilised for additional open space purposes if so required by the occupants.
- Overall, the proposal can be supported given the above factors.

5. Residential Design Codes Clause 5.3.7 – Site works

- a. Proposed fill greater than 0.5m to western boundary
- b. Proposed cut greater than 0.5m to eastern boundary

Justification for this variation is as follows:

- This variation is made in order to provide the dwelling with a relatively level site consistent with street.
- The dwelling will have the appearance of the natural level of the site from the streetscape and will still appear as a modest single storey dwelling from the street boundary. This ensures the dwelling will not have a detrimental impact on the street in terms of building bulk;
- The garage has been further stepped to follow the natural contours over the site. It is evident that everything possible has been done to reduce fill on the site and reflect the natural slope without compromising building bulk, amenity to neighbours and liveability for occupants;
- A topography analysis of the site indicates an average natural ground level of approximately 10.4 with the proposed level being 100mm higher to cater for potential undermining issues. It is contented that overall the dwelling has minimal impact in terms of building bulk and is responsive to site constraints. Indeed, the site itself slopes over 1.0m over the full course of the narrow-width lot.
- It will not impact on pedestrian safety or vehicle access;
- There will be no issues with regard to overlooking/privacy of the adjoining neighbours as all. Accordingly, the privacy and amenity afforded to the neighbouring properties is not considered to be affected in any way as 1.8m high fencing (by owner) on higher ground will screen any potential overlooking ;
- Fencing will be placed atop of the boundary retaining/ higher ground prior to occupation and so will ensure that the adjoining properties are provided with additional privacy; and
- The dwelling is compliant with the building height in all other respects.

CONCLUSION

In light of the above, we respectfully request that you consider the application under delegated authority and when considering the merits of the design principle use your discretion to support the proposal favourably. The proposal is believed to meet the R-Code objectives by ensuring an adequate provision of direct sun light and ventilation to all buildings and ameliorating the impacts of building bulk, privacy and overshadowing to the subject and adjoining properties.

Should your Local Planning Policy require neighbour consultation or you feel the consultation should take place, it would be appreciated if your office can commence the neighbour consultation at your earliest convenience. We have not sought comments for this proposal as we do not believe it is required as per the R-Codes 'A proposal that applies a design principle but would not, in the opinion of the decision-maker, cause potential impact upon the amenity of adjoining owners and occupiers, would not require neighbour consultation'.

Should you require any further information please do not hesitate to phone me on 9208 9100 or email at approvals@101residential.com.au.

Kind Regards,

Appendices

Appendix 1

27 Reen Street, St James



Appendix 2

8B Reen Street, St James

