

**Our Ref:** PN23101  
**Address:** 24 Johns Wood Drive, Kingsley  
**Date:** 27/11/2023

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## DA23/0458 - Request for information (Design #2) - 24 Johns Wood Drive, Kingsley

In response to your email dated 21/11/2023, the following letter provides a response to each area that the City has flagged as requiring further justification in order for the proposal to proceed to an approval.

The further information request response has considered the comments made and have been reviewed and assessed against:

- The City of Joondalup Local Planning Scheme No. 3 (Scheme),
- State Planning Policy 7.3 – Residential Design Codes Volume 1 (R-Codes), and
- City of Joondalup’s Local Planning Policy: Development in Housing Opportunity Areas Local Planning Policy (LPP).

Table 1 below table was provided by the City of Joondalup in a traffic light system. The text in green are areas that could be supported with justification, the orange text requiring greater justification with the red requiring robust justification and where possible changes. Overall, the RFI response highlights how the proposed development will greatly improve the existing streetscape response (see below – source: google maps).



Table 1 – City of Joondalup RFI

Element (HOALPP/R-Codes)		Deemed-to-comply   Development Standard	Proposed	Comments
5	Street setbacks	4m to primary street 3m to minor incursions 2m to secondary street	Unit A: 2m Unit B: 3.2m Unit A porch: 2.6m Unit A: 1.2m	Requires justification for the proposed street setbacks; however the Unit B wall (robes/bath) is a key concern, as is Unit A varying both the primary and secondary street setbacks.
18	Natural ventilation	Operable windows to all rooms Window sizes to achieve 15% of the floor area for habitable rooms	Water closet for each dwelling without operable windows Theatre window: 13.3%	Typically approved WCs without operable windows. Use of the room as a theatre warrants a lesser window size
5.1.4	Open space	45%	Unit A: 42.56%	Likely hinges on the street setbacks element of the design.
16	Size and layout of dwellings	Minimum bedroom dimension of 3m Minimum ceiling height of 2.7m to habitable rooms	Unit A Bed 2: 2.9m 2.607m	Typically support a 31c ceiling height or a coffered ceiling in the primary living space
7	Resident parking	5.5m setback to garages	Unit A: 2m Unit B: 4.4m	Unit A location subject largely to subdivision approval – justification is still required for this. Generally happy with Unit B given it achieves 5.5m on one side.
5.3.1	Outdoor living area	Minimum dimension of 4m	Unit A: 3.8m	Exceeds the area requirement overall.
13	Tree canopy and deep soil areas	Lot size of 547.55m <sup>2</sup> requires 1 'large' tree	Unit B: 1 medium tree	1 large tree required for Unit B. Just needs the annotation on the plan changed. Unit A only requires 2 small trees – again annotations on plans just need changing.
10	Access and parking	Maximum 4.5m driveway width	4.96m	Requires adequate justification for wider driveway widths or should otherwise be amended to comply.
5.3.7	Site works and retaining	0.5m maximum fill in front setback area	Unit A: 0.87m fill (TOW 25.472; NGL 24.6)	Only one point at the corner where this exceeds 0.5m.
17	Solar and daylight access	External shading devices to minimise direct sunlight to habitable rooms (applies to north, east and west orientation)	Unit A: Bed 2, Bed 3 without shading devices Unit B: Bed 1, Bed 2 and Bed 3 without shading devices	Generally accept eaves or low-e glazing where eaves can't be provided.
5.4.4	External fixtures, utilities and facilities	Storeroom size of 4m <sup>2</sup>	Unit A: 3.92m <sup>2</sup> Unit B: 3.1m <sup>2</sup>	Requires adequate justification for storeroom sizes.

## Response to RFI

The following addresses each element highlighted above.

### Element 5. Street Setbacks

The application proposes the following:

Unit	Required	Proposed
Unit A Primary	4m	2m
Unit B Primary	4m	3.2m
Unit A - 3m to minor incursions	3m	2.6m (porch)
Unit A – Secondary Street	2m	1.2m

It is considered that each proposed setback meets the objective under sub – section 5 of the Development in Housing Opportunity Areas Local Planning Policy as follows.

#### Unit A Primary

- The setback character of Johns Wood Drive in this section of the block is limited to the adjoining property (1 Tulse Rise) which is a secondary street setback. Whilst it is a secondary street frontage it is the only relevant setback to reference when considering the setback character in the immediate context of the western frontage of the subject site. The secondary street setback of 1 Tulse Rise is nil as there is a patio built to the boundary (see below existing streetscape character).



Image above: Existing Streetscape Character (source: googlemaps).

- As it has been demonstrated that the proposed setback is in excess of the existing streetscape character it is not reasonable to suggest this setback risks the amenity of the neighbouring properties.
- Given the buildings articulation any bulk is likely to be reduced.
- The setback allows adequate room for landscaping which includes a tree.
- If the unit A setbacks are amended to a compliant level the overall impact would be greatly reduced bedroom sizes and smaller compromised outdoor living areas.

#### Unit B Primary

- As discussed above, the Johns Wood Drive streetscape character in this block is defined by a patio built to the boundary. As such, it is considered the proposed 3.2m setback in this location is reasonable and greatly exceeds the relevant character.
- The setback provides adequate room for the planting of two trees and significant landscaping.

- Should unit B be setback to a compliant level, the outdoor living area will be impacted, resulting in a loss of amenity for its residents.
- Pushing the master bed corner any closer to the sewer line will incur piling costs also, which will impact the feasibility of the project.
- In addition to the above, there is also a mature Avocado tree located between the back corner of the master bedroom and the fence line, should the building be setback further this tree may need removal. The intention is to retain it.

**Unit A Porch Incursion**

- As discussed above, the Johns Wood Drive streetscape character in this block is defined by a patio built to the boundary. As such, it is considered the proposed minor incursion is not considered unreasonable.
- The incursion will not impact on the amenity of neighbours.

**Unit A – Secondary Street**

- It is considered that the setback is reasonable given the lodged subdivision which is likely to be approved restricts the ability to achieve a compliant setback in this location.
- Notwithstanding the above, the setback in this location is considered an appropriate response to the streetscape character, will not impact upon residential amenity and allows a considerable area to be landscaped fronting the street.

**Element 7. Resident Parking**

The application has been designed to have the frontage of unit A directed towards Johns Wood Drive as opposed to addressing Forest Drive. As such vehicle access will be achieved from Forest Drive with the garage having a secondary street setback of 2m, thereby complying with the 1.5m secondary street setback Deemed-to-Comply requirements under Clause 5.2.1 of the R-Codes. Notwithstanding this however, Sub-section 7.1 of the City’s LPP requires that garages have a minimum setback of 5.5m from a public street. The application has been assessed against the Objectives of the LPP in the table below.

<b>Objectives</b>	<b>Comments/Assessment</b>
<p><b>7. Residential Parking Location</b></p> <ul style="list-style-type: none"> <li>• <i>Achieve development form, scale and character that is appropriate to the context and the existing and planned character of the Housing Opportunity Area, while moderating impacts on neighbouring properties.</i></li> <li>• <i>To create streetscapes framed with appropriate building form in keeping with the desired character of the Housing Opportunity Area.</i></li> <li>• <i>Achieve building outcomes that promote excellent amenity for their interface to the public realm and for all neighbouring properties.</i></li> <li>• <i>Provide sufficient space for onsite visitor parking.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The built form, scale and character of the development is in keeping with the existing and future development of the area. As such, the minor variation is not anticipated to create an unreasonable presentation of building bulk to adjoining properties.</li> <li>• The frontage to the Forest Drive is well articulated with appropriate large windows and a variety of materials.</li> <li>• the total garage width of 5.7m over a street frontage of 18.8m (including the truncation) which represents 30% of the total lot frontage,</li> <li>• it is proposed that high quality landscaping is provided within the primary and secondary street setback, being in access to the requirements under Sub-section 11 of the LPP, and</li> </ul>



<b>Objectives</b>	<b>Comments/Assessment</b>
	<ul style="list-style-type: none"> <li>• there is sufficient space between the garage and the foot path to provide for visitor car parking safely.</li> <li>• In addition to the above, subdivision application 702-23 has been lodged with the WAPC and the City has provided support for this application subject to conditions. Should this application be approved, it greatly reduces lot 1's ability to provide a compliant secondary street setback of 5.5m, noting the lot is only 10.8m deep.</li> </ul> <p>In light of the above, it is considered that the objective has been met.</p>

### **Element 17. Solar and Daylight Access**

It is noted that the plans have been updated to provide E glazing as requested by the City.

#### **Clause 5.1.4 - Open space**

Unit A proposes 42.56% of open space in lieu of the 45% required based on its R30 coding. This is considered reasonable for the following reasons:

- Across the balance of the two lots, a provision of 49% open space is achieved.
- Notwithstanding the open space variation, unit A meets the soft landscaping requirement of 50% in the front setback area.
- Notwithstanding the open space variation, unit A meets the required provision of trees.
- As discussed above, the Development Application largely hinges on a subdivision application that is likely to be approved shortly. Once this subdivision is approved, the lots are restricted to being developed based on their restricted sizes. As such, the provision of a garage on this lot requires a setback variation from the HOA, whilst meeting the required secondary street setback requirements of the R-Codes. Due to the site constraints requiring reduced setbacks the flow on effect is that open space is unlikely to be achieved on this specific lot.
- The open space variation is unlikely to impact the streetscape negatively noting the soft landscaping requirements is proposed to be compliant.
- The proposed dwelling has been designed to allow north facing outdoor living area that will achieve considerable sunlight access whilst providing a house suitable for the target market of a family in this location.

As such, it is considered that this minor open space variation be supported.

#### **Element 10 – Access and Parking**

It is considered that proposing a 4.96m driveway width in lieu of the maximum required 4.5m is acceptable for the following reasons:

- Given the proposed development provides significant soft landscaping to the front setback of unit B and the secondary street setback of Unit A it is not considered the additional 460mm<sup>2</sup> of paving to accommodate a double car garage is unreasonable.
- The driveway width is a practical requirement for a double car garage.

- In addition to the above, the existing streetscape surrounding the site contains several driveways and excessive amounts of paving for parking. The proposed development will greatly improve this excessive amount of hard surface presentation to the streetscape.



Streetscape Example: 53 Forest Hill Drive, Kingsley (source googlemaps)



Streetscape Example: 52 Forest Hill Drive, Kingsley (source googlemaps)





Streetscape Example: 31 Johns Wood Drive, Kingsley (source googlemaps)



Streetscape Example: 31 Johns Wood Drive, Kingsley (source googlemaps)

### **Element 13 – Tree Canopy and Deep Soil Areas**

The development plans have been updated in accordance with the City's requirements.

### **Element 16 – Size and Layout of Dwellings**

The development proposes a minimum ceiling height of 2.607m to habitable rooms in lieu of the 2.7m requirement. This minor variation is considered acceptable for the following reasons:

- The development has been designed to be as affordable as possible whilst still providing internal sizes that are functional with the ability to accommodate furniture settings and personal goods, appropriate to the expected household size.
- The proposed development has been designed to allow for quality natural ventilation and daylight access by providing cross ventilation air flow through several doors and windows. The north facing outdoor living area provides considerable daylight access in addition to the daylight access provided to each habitable room.

#### Clause 5.4.4 – External fixtures, Utilities and Facilities

The development plans have been updated to ensure 4m<sup>2</sup> of enclosed lockable storage. All clothes drying areas will be screened.

#### Element 18 – Natural Ventilation

The development proposes a water closet for each dwelling without operable windows and a theatre window that is 13.3% of the floor area in lieu of the 15% requirement, which varies element 18. This is considered reasonable as follows:

- Operable windows are proposed for all habitable rooms and it is not considered necessary for each water closet to have this provided given the provision of exhaust fans providing ventilation and non-operable windows providing light.
- The varied theatre window size is considered minor and unlikely to have any material impact.

#### Clause 5.3.1 – Outdoor Living Area

The development proposes a minimum dimension of outdoor living area of 3.8 for unit A in lieu of the 4m requirement. This is considered appropriate given the OLA exceeds the overall area requirement and the variation is considerably minor and required due to the constrained site.

#### Clause 5.3.7 – Site Works and Retaining

The development proposes 0.87m of fill at one point at the corner of unit A. This is a modest variation and considered reasonable as it is not considered to risk the amenity of adjoining property owners or the streetscape.

In summary, the modest variations proposed are required to ensure this development is feasible. The proposed development will greatly enhance existing character in the area. The proposed subdivision has been supported subject to conditions by the City which will be approved shortly. In light of this, I respectfully request the application to proceed to advertising and ultimately be supported.

Yours sincerely,



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