

16/02/2024

Planning Justification Report

Resolve Reference	-
LGA Reference	N/A
Proposal Specifics	Single House
Subject Site	Proposed Lot 331, (#2) Volunteer Pl, Ocean Reef
LGA	City of Joondalup
Zoning	Residential R20
Applicant	Stannard Homes
Applicable Policies	Residential Design Codes Vol 1 Residential Development Local Planning Policy

Site Context



Overview

Resolve Group act on behalf of Stannard Homes in preparation for the City of Joondalup's Development Application Assessment of Lot 331, HN 2 Volunteer Place, Ocean Reef. The following report seeks to provide written justification as to how the proposed works at the subject site satisfy the design principles of *State Planning Policy 7.3 – Residential Design Codes Volume 1* **and** *City of Joondalup's Residential Development Local Planning Policy*.

The design of the new dwelling has been designed giving due regard to the 'deemed to comply requirements' of the *Residential Design Codes* and *Residential Development Local Planning Policy* in the exemption of the following;

State planning Policy 7.3 - Residential Design Codes Vol 1

Clause 5.1.3 – Lot boundary setback

Clause 5.1.6 – Building Height

Clause 5.2.2 – Garage Width

Clause 5.2.3 – Street Surveillance

Clause 5.3.2 – Landscaping

Clause 5.3.5 – Vehicular Access

Clause 5.3.7 – Site Works

Clause 5.4.1 – Visual privacy

Please consider the following justification below against the relevant 'Local Housing Objectives' set out of the *City of Joondalup's Residential Development Local Planning Policy*. *If the variations aren't considered to meet the respected 'Local Housing Objectives'*, please consider the variations against the 'Design Principles' of the R-Codes.

1. Clause 5.1.3 – Lot boundary setback

The dwelling proposes the following variations to the deemed to comply requirements of Clause 5.1.3 – Lot Boundary Setbacks;

- *The proposed upper-floor LIVING – DRESSING ROOM setback is proposed at 1.5m instead of 3m along the south-eastern boundary.*

The variation meets the design principles along the southern lot boundary based on the following.

- The proposed dwelling is finished using high-quality render and cladding, which positively contributes to the established streetscape.
- The dwelling is not considered to add building bulk to the adjoining south-eastern property, given it currently abuts a vacant block.
- The design of the eastern facade orienting the east is considered to be effectively articulated to reduce the impacts of building bulk as follows:
 - o The roofline is of a different pitch and the walls are stepped back (stairs/pdr) to provide visual interest and break up the appearance of blank solid walls.
 - o The southern elevations provide openings that break up the walls and reduce their bulk.
- The proposed development provides horizontal and vertical articulation and major openings to reduce the appearance of blank solid walls, create visual interest and minimise the size and scale of the building.
- The proposed setback variation will allow the neighbouring site to have direct sun and ventilation to the build and open space, given the lot boundary setback variation doesn't take up the entire lot boundary.
- The proposed development satisfies the deemed-to-comply requirements of R-Codes of 5.4.1 - Visual Privacy and will not cause direct overlooking and loss of privacy to adjoining properties.

2. Clause 5.1.6 – Building Height

The dwelling proposes the following variations to the deemed to comply requirements of Clause 5.1.6 – Building Height;

- *Proposed building height proposed at 7.2m in lieu of 7m.*

The variation meets the design principles based on the following.

- The proposed 0.2m wall height variation will not adversely impact the amenity of adjoining properties or the streetscape as the proposed variation is minor.
- It is noted that the immediate area, especially the north and south, are examples of existing large-scale double-storey dwellings that dominate the streetscape (refer to Figure 1). These



dwellings impose significantly more building bulk on the street than the proposed development.

- The total overshadowing is significantly below the permitted maximum for R20. As the top of the wall variation is in the southwestern part of the lot, it is unlikely the additional wall height section will cast an additional southern shadow into the neighbouring properties.
- The additional building height will provide no adverse impact on major openings into habitable rooms, given the wall height directly abuts a three-car garage at HN 1 Courageous Place (refer to Figure 2).
- The proposed dwelling will not impact any access to views of significance, given that the lot directly abuts a road reserve to the north. The proposed development is located on the corner truncation of a road reserve with a significant slope towards the west. Given the views of significance are located west, the properties to the north will sit higher than the proposed development. Therefore, any disruption of views of significance to the coast will be minimal.



Figure 1 – Proposed large-scale dwellings within the immediate streetscape.



Figure 2 – The dwelling wall height variation directly abuts a three-car garage of HN 1 Courageous Place

3. Clause 5.2.2 – Garage Width

The dwelling proposes the following variations to the deemed to comply requirements of Clause 5.2.2 – Garage Width;

- *Garage width proposed greater than 50% of the primary street frontage.*

The variation meets the design principles based on the following.

- The garage is not considered a dominant feature of the home or streetscape, as the design of the dwelling has incorporated the following components to reduce the dominance of the garage:
 - Contrasting renders and finishes;
 - The frontage of the dwelling has a balcony and verandah to the right-hand side of the garage, which reduces the garage door's appearance from the street by protruding out towards the right-hand side. This additional design feature reduces the visual impact of the garage width.
 - Upper floor overhanging the garage for a majority of the width;
 - The garage is set back behind the predominant dwelling line;
 - The front façade provides numerous openings, articulation and roof forms, further reducing the dominance of the garage.

- The dwelling itself is set back at a greater distance than the minimum required front setback, reducing the impact of bulk on the streetscape.
- The garage has been set back 7m from the front lot boundary in lieu of the 4.5m minimum required, which reduces the impact of bulk imposed by the garage on the streetscape.
- The significant slope across Southern Cross Circle of approximately 5m makes access along the secondary street frontage difficult.
- The lot frontage is 7.9m, making a compliant double garage design difficult.
- The proposed garage maintains clear sight lines along the street and does not obstruct views of the dwelling from the street/vice versa.
- The existing verge area has no pedestrian, cycle or dual-use path, ensuring no vehicle parking will impede these services.
- The proposal complies with street surveillance provisions under the residential design codes, ensuring no views of the dwelling from the street are obstructed and vice versa.
- The proposed development complies with the minimum and average primary street setback requirements of the residential design codes, further ensuring the design positively contributes to the streetscape.

4. Clause 5.2.3 – Street Surveillance

The dwelling proposes the following variations to the deemed to comply requirements of Clause 5.2.3 – Street Surveillance.

- *The proposed entry point is not visible from the primary street elevation.*

The variation meets the design principles based on the following.

- The design provides clear sightlines from the dwelling to the street through major openings such as the Master Suite, Office and upper-floor balcony. Major openings orientating the street ensure residents can observe and monitor the street, enhancing overall safety and security and seeing pedestrian/vehicle approaches.
- The front façade provides openings to the ground and upper floor to maximise street surveillance to the street.
- The verandah to the ground floor provides a clear entry point for people approaching the dwelling
- The property is located on a corner truncation with numerous openings to Southern Cross Circle and Volunteer Place, minimising opportunities for concealment and entrapment.

5. Clause 5.3.2 – Landscaping

The dwelling proposes the following variations to the deemed to comply requirements of Clause 5.3.2 – landscaping.

- *Landscaping of the street setback area is more than 50 per cent impervious surface.*

The variation meets the design principles based on the following.

- The advanced tree and landscaping all contribute towards the aesthetics of the development.
- The one advanced tree in the street setback area positively contributes towards the streetscape.
- The landscaping proposed does not hinder or restrict the security or safety of the residents.
- The addition of advanced trees and landscaping positively contributes to local microclimates and provides additional shading to the dwellings.
- A handstand area greater than 50% is needed to provide an acceptable driveway. Additionally, everywhere but the reversing bay is a soft stand area for landscaping.

6. Clause 5.3.5 – Vehicular Access

The dwelling proposes the following variations to the deemed to comply requirements of Clause 5.3.5 – Vehicular Access.

- *Proposed access was provided from the primary street in lieu of the secondary street.*
- *The proposed driveway is not aligned at right angles to the street alignment.*
- *The proposed driveway is located 4.3 in lieu of 6m to the street alignment.*

The variation meets the design principles based on the following.

- The application proposes vehicular access for the proposed dwelling from the primary street in lieu of the secondary street. The proposal complies with sightline requirements, ensuring safe vehicle entry and exit.
- The application proposes one driveway and crossover to the subject site, reducing the access points on the streetscape. The driveway/crossover width complies with the Residential Design Codes, ensuring legible access.
- The application with compliant sight lines and no front fence ensures an open front setback area, providing safety for passing pedestrians.
- The front setback area allows for high-quality landscaping between the dwelling and the front lot boundary, contributing to the aesthetics of the streetscape.
- Access to the site remains from Volunteer Place, with the previous access also being from Volunteer Place. Access from Volunteer Place ensures access to the site remains legible.
- Southern Cross Circle has an approximate 5m slope, making access from the secondary street difficult. *Figure 3* shows the existing retaining and slope along Southern Cross, Circle, providing as a site restraint to propose access.
- The abutting property at HN 1 Volunteer Place consists of vehicle access from the primary street when a secondary street setback exists. Furthermore, the proposed vehicle access

from the primary street when a secondary street exists is consistent with similar development within the immediate streetscape (Refer Figure 4).



Figure 3 – Development sites existing retaining along Southern Cross Circle.



Figure 4 – HN 1 Volunteer Place and HN 2 Puritan Close, provide access from the primary street when a secondary street setback exists.

7. Clause 5.3.7 – Site Works

The dwelling proposes the following variations to the deemed to comply requirements of Clause 5.3.7 – Site Works

- *Site works along the rear of the site is proposed greater than 0.5m (rear stair limestone wall).*

The variation meets the design principles based on the following.

- The proposed variation is considered minor in the context of the overall development. It assists in delivering a level site capable of accommodating the proposed development and retaining previous site works on site. The site also provides a levelled site along the rear of the dwelling for a levelled alfresco, which can be effectively used for the benefit of the residents.
- The design of the dwelling has been designed to consider the natural features of the site and the surrounding properties, with the retaining walls along the boundaries to remain as existing.
- The proposed retaining wall is levelling the site in a way that requires minimal site work and appears to be consistent with similar levels and existing retaining on the abutting properties.
- The proposed site works are not considered to create any significantly negative impacts on the northern property given;
 - o The proposed site works along the rear have portions compliant with only small portions at the rear of the property boundary triggering a variation.
 - o The proposed site works along the eastern boundary of the site will be abutting a vacant block. The retaining along the rear will remain as it is, with only a small portion of the limestone wall triggering a variation in the north-eastern boundary.
- The subject site slopes downwards from west to east by approximately 5m, and the proposed site works are generally contained in the rear of the site, with the most significant fill being along the southwestern lot boundaries. *Figure 3* shows the steep slope along the western lot boundary.
- The proposed site works are not considered to have any impact on the streetscape because the retaining is evident in the built form within the streetscape. *Figure 5* and *6* shows existing site works within the immediate streetscape. Furthermore, the existing site works will not impact the streetscape as site works are evident in the streetscape with the streets natural topography being steep.



Figure 5 – Existing site works within the immediate streetscape.



Figure 6 – Existing site works within the immediate streetscape.

8. Clause 5.4.1 – Visual Privacy

The dwelling proposes the following variations to the deemed to comply requirements of Clause 5.4.1 – Visual Privacy.

- *Proposed overlooking from ground floor ALFRESCO into the REAR lot boundary.*
- *Proposed overlooking the upper floor BALCONY 2 into the REAR lot boundary.*

The variation meets the design principles based on the following.

- The upper floor BALCONY 2 cone extends over the rear property's car garage, which is not considered a habitable room or primary open space. The area is not considered a sensitive area, given it's a space that will be visited infrequently. The overlooking is therefore deemed minimal, where the overlooking will not adversely affect the privacy of the adjoining neighbours. Overlay imagery (refer to figure 8) shows the cone-of-vision from the upper floor will be directly overlooking the rear property's car garage.
- Annotations Figure 7 shows the rear property approximately sits 7.3m below the finished floor level of the proposed upper floor. Figure 7 reflects that due to the height differences from the site, overlooking will be controlled and the cone of vision will directly overlook air space over the property. Protection of privacy is not realistically achievable, but due to the separation, level differences, dividing fence and approach to setbacks overlooking the proposed development site to the rear, is interrupted, achieving an acceptable compromise. The overlooking is therefore considered to be minimal where the balcony will not adversely affect the privacy of the adjoining property.

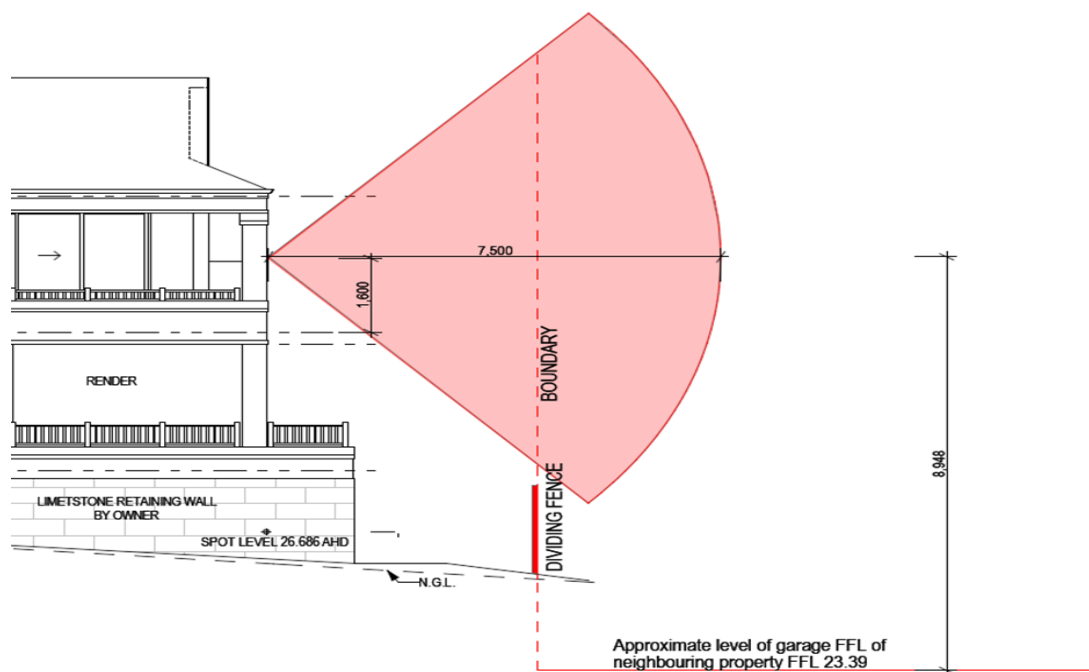


Figure 7 – Annotations showing the level difference between the sites.

- The ground floor ALFRESCO cone of vision extends within an outdoor space on the southern property. The overlooking will face an outdoor space at the property's rear, which is not the property's primary outdoor living space. The area is not considered a sensitive area, given it's a space that will be visited infrequently. The overlooking is therefore deemed

We trust the provided justification is to the City's satisfaction, and approval may be granted based on the proposed development meeting the relevant design principles and objectives.

If you require any further justification or detailed information, please don't hesitate to contact the below.

Yours faithfully



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