

WRITTEN RESPONSE TO CLAUSE 55 OF THE DAREBIN PLANNING SCHEME

7 LOCHER AVENUE RESERVOIR

Construction of two new double storey dwellings on one lot with associated on-site parking and landscaping.



NEIGHBOURHOOD CHARACTER AND SITE ANALYSIS

General

The property is located within the General Residential Zone (Schedule 2) of the Darebin Planning Scheme with an applicable Development Contributions Plan Overlay (DCPO1).

In relation to the neighbourhood

The immediate and surrounding area around the site is predominantly residential. Architectural styles in the immediate and surrounding area vary from post to inter-war 1960s to late 1970s brick veneer, brick clad with instances of weatherboard dwellings on large allotments. There are also several examples of recent multi-residential developments as well as contemporary dwellings in the immediate area.

The site is located within close proximity to Keon Park, Ruthven train station, Dole Reserve, the metropolitan Ring Road and Broadway and Edwardes Street shops.

The predominant building material is red, brown, black and tan brick, with brown, combination orange and black roof tiles.

Front setbacks of dwellings along either side of Locher Avenue are mostly consistent, creating a coherent character to the streetscape. Front setbacks vary between 7 and 9 metres.

Front gardens of adjoining properties are fully established with lawn cover, appropriate landscaping, planting, small shrubs, flowerbeds and medium to mature sized ornamental trees and shrubs. There are instances of mature significant trees and dense mature vegetation within the front setback of dwellings.

There are concrete footpaths and nature strips with large well-established trees along both sides of Locher Avenue.

Front fences, if present, vary in height and materials and are predominantly timber, colorbond or brick forms. The height of front fences, combined with the well-maintained front gardens and varying front setbacks connects the dwellings with the neighbourhood and streetscape character of the area.

Vehicle crossings with side driveways extending the length of properties to the rear are a common streetscape characteristic. Each allotment has a vehicle crossing along the frontage. Garages and carports are commonly setback behind the front façade of the dwellings or in line with the front façade. There are some instances of carports in the front setback. Garages and carports do not dominate the streetscape character of the area.

In relation to the site

The allotment of 7 Locher Avenue is a rectangular block with a total area of approximately 586 square metres, located on the north side of Locher Avenue. The site is relatively flat. There is currently a single storey weatherboard dwelling on the site.

DESIGN RESPONSE TO THE NEIGHBOURHOOD CHARACTER AND SITE DESCRIPTION

It is proposed to demolish the existing dwelling and construct two new double storey dwellings. Each dwelling will have direct access to private open space.

The proposed development responds positively and with respect to the neighbourhood and the site. The parameters for the assessment of the potential impacts for local amenity include overlooking, overshadowing, noise and visual qualities. The proposal has been designed with minimal off site impacts or disruption to adjacent neighbouring amenities.

The new dwellings will Axon vertical lined cladding to the upper floor walls and face brickwork to ground floor walls. Colorbond cappings, downpipes and guttering will also be used.

Both dwelling will be provided with double garages set behind the dwellings, accessed via a common driveway, with the existing crossover to be retained.

The proposed new dwellings do not unreasonably overshadow any adjoining private open space or habitable room windows. Overlooking has been restricted by use of window treatments, sizing and positioning. Refer to drawings for details.

Open space is allocated to the rear of the proposed new dwellings with a north or east orientation to maximise solar access and promote energy efficiency. There is ample opportunity for the planting of canopy trees within the private open space areas of each dwelling, as well as within the front setback to reinforce the garden character of the streetscape.

The proposed development will have a positive effect on the streetscape and neighbourhood character of the area. The proposed development is an appropriate form of infill development for the site. There will be an increase of dwelling stock due to the development of the land for two new dwellings.

55.01 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE	
55.01-1 NEIGHBOURHOOD AND SITE DESCRIPTION	
OBJECTIVES / SUMMARY OF STANDARDS	APPLICANT'S ASSESSMENT
<p>In relation to the neighbourhood:</p> <ul style="list-style-type: none"> • Pattern of development; • Built form, scale and character of surrounding development including front fencing; • Architectural and roof styles; • Any other notable features of the neighbourhood. 	<p>In relation to the neighbourhood:</p> <ul style="list-style-type: none"> • Locher Avenue is a quiet residential area within close proximity to Keon Park, Ruthven train station, Dole Reserve, the Metropolitan Ring Road and Broadway and Edwardes Street shops. • Dwellings consist of predominately brick or timber, with hipped and gable tiled roof forms. • Mixture of c.1960 brick veneer dwellings and more recent dwelling styles.
<p>In relation to the site:</p> <ul style="list-style-type: none"> • Site shape, size, orientation and easements. • Levels of the site and the difference in levels between the site and surrounding properties. • Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site. • The use of surrounding buildings. • The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres. • Solar access to the site and to surrounding properties. • Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known. • Any contaminated soils and filled areas, where known. • Views to and from the site. • Street frontage features such as poles, street trees and kerb crossovers. • Any other notable features or characteristics of the site. 	<p>In relation to the site:</p> <ul style="list-style-type: none"> • Rectangular in shape – total site area 586 square metres. • Site is relatively flat. • The site abuts residential allotments to the north, east and west. • There is north solar access to the site. • The dwelling to the east has a verandah and carport on the boundary. • The dwelling to the west has a large shed on the boundary. • No significant trees or contaminated soil exist on the site. • There is one crossover currently servicing the site from Locher Avenue. • Street front features consist of two nature strip trees.

55.01-2 DESIGN RESPONSE	
OBJECTIVES / SUMMARY OF STANDARDS	APPLICANT'S ASSESSMENT
<p>The design response must explain how the proposed design:</p> <ul style="list-style-type: none"> Derives from and responds to the neighbourhood and site description. Meets the objectives of Clause 55. Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay. 	<p>In relation to the neighbourhood:</p> <ul style="list-style-type: none"> A multi dwelling development does not present an unfamiliar element to the streetscape. A similar development exists on the west side of Locher Avenue. The proposed dwellings will incorporate a contemporary façade with familiar building materials and forms to complement surrounding development. The increase in housing density on the site from one to three dwellings is in keeping with the site context and the objectives of the Darebin Planning Scheme.

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE	
OBJECTIVES / SUMMARY OF STANDARDS	APPLICANT'S ASSESSMENT
<p>Standard B1 – Neighbourhood Character</p> <ul style="list-style-type: none"> The design response must be appropriate to the neighbourhood and the site. The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site. 	<p>Standard B1</p> <ul style="list-style-type: none"> The design response is consistent with the general pattern of subdivision in the immediate area. There are several examples of multi dwelling development within the immediate area. The proposed design reflects and complements the existing neighbourhood character. <p>This standard should be deemed satisfied.</p>
<p>Standard B2 – Residential Policy</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Standard B2</p> <ul style="list-style-type: none"> The proposal of two new dwellings on the site is consistent with Council policies. The proposal does not represent an unreasonable increase in residential density within the neighbourhood context. The site is located within close proximity to Keon Park and Dole Reserve. Public transport consists of busses from Cheddar Road and Ruthven Station. <p>This standard should be deemed satisfied.</p>

<p>Standard B3 – Dwelling Diversity</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>Standard B3</p> <ul style="list-style-type: none"> Each proposed dwelling contains three bedrooms plus a study at ground floor level. This promotes a range of household types. <p>This standard should be deemed satisfied.</p>
<p>Standard B4 – Infrastructure</p> <ul style="list-style-type: none"> Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure. 	<p>Standard B4</p> <ul style="list-style-type: none"> All services are available to the site. Two dwellings on the site will not present an unreasonable burden upon existing infrastructure. <p>This standard should be deemed satisfied.</p>
<p>Standard B5 – Integration with the street</p> <ul style="list-style-type: none"> Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. Development should be oriented to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable. 	<p>Standard B5</p> <ul style="list-style-type: none"> Both dwellings front the street, maintaining clear pedestrian and vehicle links to enhance accessibility. No front fencing is proposed for the development, in order to reinforce the garden setting of the neighbourhood. <p>This standard should be deemed satisfied.</p>

55.03 SITE LAYOUT AND BUILDING MASSING	
OBJECTIVES / SUMMARY OF STANDARDS	APPLICANT'S ASSESSMENT
<p>Standard B6 – Street setback</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Standard B6</p> <ul style="list-style-type: none"> The average front setback of the two adjoining neighbours is 7.67m. The proposed minimum front setback of Dwelling 1 is 7.7m which exceeds the allowable minimum. The porch has a minimum front setback of 6.4m. The proposed front setbacks are consistent within the immediate site context. <p>This standard should be deemed satisfied.</p>

<p>Standard B7 – Building height</p> <ul style="list-style-type: none"> • The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. • If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres. • Changes of building height between existing buildings and new buildings should be graduated. 	<p>Standard B7</p> <ul style="list-style-type: none"> • The proposed dwellings do not exceed 9 metres in height. • The site is relatively flat which enables the dwellings to maintain a consistent height across the site. <p>This standard should be deemed satisfied.</p>
<p>Standard B8 – Site coverage</p> <ul style="list-style-type: none"> • The site area covered by buildings should not exceed: The maximum site coverage specified in a schedule to the zone, or: If no maximum site coverage is specified in a schedule to the zone, 60 per cent. 	<p>Standard B8</p> <ul style="list-style-type: none"> • Proposed building site coverage is 41%. <p>This standard should be deemed satisfied.</p>
<p>Standard B9 – Permeability</p> <ul style="list-style-type: none"> • The site area covered by the pervious surfaces should be at least: The minimum area specified in a schedule to the zone, or: If no minimum is specified in a schedule to the zone, 20 percent of the site. 	<p>Standard B9</p> <ul style="list-style-type: none"> • 37% of the site will remain permeable. <p>This standard should be deemed satisfied.</p>
<p>Standard B10 – Energy Efficiency</p> <ul style="list-style-type: none"> • Buildings should be oriented to make appropriate use of solar energy; and • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. • Living areas and private open space should be located on the north side of the development, if practicable. • Developments should be designed so that solar access to north-facing windows is maximised. 	<p>Standard B10</p> <ul style="list-style-type: none"> • The living areas and secluded private open space areas of both dwellings are oriented towards the north. • Upstairs bedrooms also have a northerly orientation where possible. • The dwellings have been sited and designed to ensure that the energy efficiency of adjoining dwellings is unaffected by the proposed development. <p>This standard should be deemed satisfied.</p>

<p>Standard B11 – Open space</p> <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Standard B11</p> <ul style="list-style-type: none"> No communal open space is proposed for the development. <p>This standard should be deemed not applicable.</p>
<p>Standard B12 – Safety</p> <ul style="list-style-type: none"> Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares. 	<p>Standard B12</p> <ul style="list-style-type: none"> Entries to both dwellings are visible from the pedestrian links on Locher Avenue. Private open space areas are proposed to be securely fenced to ensure they are not used as public thoroughfares. Opportunities for passive surveillance have been provided through the use of glazing and entry doors facing the street. <p>This standard should be deemed satisfied.</p>
<p>Standard B13 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	<p>Standard B13</p> <ul style="list-style-type: none"> There are no significant trees currently existing on site. Shrubs and ground cover are proposed to line the accessways to soften the hard edges. There is opportunity within the private open space areas of each dwelling for the planting of ornamental trees and shrubs. <p>This standard should be deemed satisfied.</p>
<p>Standard B14 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Standard B13</p> <ul style="list-style-type: none"> The existing crossover is shared between 7 and 9 Locher Avenue. It is proposed to retain the existing crossover to provide vehicle access for both dwellings. One crossover per allotment is in keeping with the preferred neighbourhood character for the area. <p>This standard should be deemed satisfied.</p>

<p>Standard B15 – Parking Location</p> <ul style="list-style-type: none"> Car parking facilities should be reasonably close and convenient to dwellings and residential buildings; secure and well ventilated if enclosed. Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway. 	<p>Standard B15</p> <ul style="list-style-type: none"> All garages have internal access to their respective dwellings, as well as access to the service yard and private open space areas. No habitable room windows look onto either of the proposed driveways. <p>This standard should be deemed satisfied.</p>
---	--

55.04 AMENITY IMPACTS

OBJECTIVES / SUMMARY OF STANDARDS	APPLICANT'S ASSESSMENT
<p>Standard B17 – Side and rear setbacks</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B17</p> <ul style="list-style-type: none"> Both dwellings have incorporated sufficient setbacks to comply with the requirements of this standard. <p>This standard should be deemed satisfied.</p>
<p>Standard B18 – Walls on boundaries</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B18</p> <ul style="list-style-type: none"> Dwelling 1 contains a wall on the west boundary approximately 6m long. This wall is 3.16m high which is below the maximum allowable wall height on boundary (3.2m). This wall is adjacent to the adjoining driveway and part of the adjoining private open space. Dwelling 2 contains a 6.5m long garage wall on the east boundary of the site. This wall is a maximum height of 3.175m. The proposed boundary walls are single storey in height and will have no adverse amenity impact on the adjoining neighbours. <p>This standard should be deemed satisfied.</p>

<p>Standard B19 – Daylight to existing windows</p> <ul style="list-style-type: none"> Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot. Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window. 	<p>Standard B19</p> <ul style="list-style-type: none"> The dwellings incorporate sufficient setbacks from the adjoining neighbours to ensure that their habitable room windows will continue to enjoy adequate daylight. <p>This standard should be deemed satisfied.</p>
<p>Standard B20 – North-facing windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Standard B20</p> <ul style="list-style-type: none"> There are no north-facing windows that will be adversely impacted by the proposed development. <p>This standard should be deemed satisfied.</p>
<p>Standard B21 – Overshadowing</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Standard B21</p> <ul style="list-style-type: none"> The shadow diagrams submitted with the application demonstrate that the proposed dwellings do not unreasonably overshadow adjoining private open space. <p>This standard should be deemed satisfied.</p>
<p>Standard B22 – Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows 	<p>Standard B22</p> <ul style="list-style-type: none"> Overlooking into adjoining habitable room windows and private open space areas has been restricted through location of windows, window treatment where applicable. Refer to drawings. <p>This standard should be deemed satisfied.</p>

<p>Standard B23 – Internal Views</p> <ul style="list-style-type: none"> Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development. 	<p>Standard B23</p> <ul style="list-style-type: none"> Internal overlooking has been avoided through positioning and screening of windows as appropriate. <p>This standard should be deemed satisfied.</p>
<p>Standard B24 – Noise impacts</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	<p>Standard B23</p> <ul style="list-style-type: none"> Noise sources will be contained within the development. No mechanical plants will be located adjacent to or near bedrooms of immediately adjacent existing dwellings. <p>This standard should be deemed satisfied.</p>

55.05 ON-SITE AMENITY AND FACILITIES	
OBJECTIVES / SUMMARY OF STANDARDS	APPLICANT'S ASSESSMENT
<p>Standard B25 – Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Standard B25</p> <ul style="list-style-type: none"> All dwellings have living areas, a toilet and washing facilities at ground level. <p>This standard should be deemed satisfied.</p>
<p>Standard B26 – Dwelling Entry</p> <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	<p>Standard B26</p> <ul style="list-style-type: none"> Each dwelling has its own sense of identity through individual entries visible from Locher Avenue. <p>This standard should be deemed satisfied.</p>
<p>Standard B27 – Daylight to new windows</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	<p>Standard B27</p> <ul style="list-style-type: none"> Windows to all habitable rooms within the proposed development have ample access to daylight through the provision of appropriate side setbacks. <p>This standard should be deemed satisfied.</p>
<p>Standard B28 – Private Open Space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone. If no area or dimensions are specified in a schedule to the zone, 	<p>Standard B28</p> <ul style="list-style-type: none"> Each dwelling has been provided with a minimum 25 square metres of secluded private open space with a minimum dimension of 3 metres. <p>This standard should be deemed satisfied.</p>

<p>a dwelling or residential building should have private open space consisting of an area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room.</p>	
<p>Standard B29 – Solar access to open space</p> <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. The private open space should be located on the north side of the dwelling or residential building, if appropriate. The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall. 	<p>Standard B29</p> <ul style="list-style-type: none"> Private open space for each dwelling is located to the north. The south-east ground floor wall of the Dwelling 2 garage is setback 3.47m from the south boundary of the SPOS of Dwelling 1. This is less than the required minimum setback of $(2 + (0.9 \times 3.125)) = 4.8\text{m}$. The garage wall of Dwelling 1 abuts the SPOS of Dwelling 1 for roughly half its length. The remainder of the SPOS is enclosed with a 1.8-metre high timber paling fence. This ensures that the majority of the SPOS will receive adequate solar access throughout the day. The south-east first floor wall of Dwelling 2 is setback 8.69m from the south boundary of the SPOS of Dwelling 1. This exceeds the minimum required setback of $(2 + (0.9 \times 6.195)) = 7.58\text{m}$. <p>This standard should be deemed varied.</p>
<p>Standard B30 – Storage</p> <ul style="list-style-type: none"> Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space. 	<p>Standard B30</p> <ul style="list-style-type: none"> Both dwellings contain external storage of at least 6 cubic metres. <p>This standard should be deemed satisfied.</p>
<p>Standard B31 – Design detail</p> <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. The design of buildings, including facade articulation and detailing; window and door proportions; roof forms; and verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character. 	<p>Standard B31</p> <ul style="list-style-type: none"> The proposed dwellings will consist of Axon vertical lined cladding to the upper floor walls and face brickwork to ground floor walls. Materials and forms reflect the surrounding neighbourhood context. <p>This standard should be deemed satisfied.</p>

<ul style="list-style-type: none"> Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character. 	
<p>Standard B32 – Front fences</p> <ul style="list-style-type: none"> The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties. 	<p>Standard B32</p> <ul style="list-style-type: none"> Not applicable
<p>Standard B33 – Common property</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. 	<p>Standard B33</p> <ul style="list-style-type: none"> A common driveway is proposed for access to the vehicle accommodation of both dwellings. The driveway will be lined with low maintenance planting on the boundary side and finished in selected concrete to ensure it is easy to maintain and attractive. <p>This standard should be deemed satisfied.</p>
<p>Standard B34 – Site services</p> <ul style="list-style-type: none"> The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Bin and recycling enclosures should be located for convenient access by residents. Mailboxes should be provided and located for convenient access as required by Australia Post. 	<p>Standard B34</p> <ul style="list-style-type: none"> There is sufficient space on site for storage of bin and recycling facilities. Bin storage is conveniently located enable easy access and efficient storage. Mailboxes are located at the site frontage for convenient access by residents and Australia Post. <p>This standard should be deemed satisfied.</p>

CONCLUSION

Based on this assessment, the proposed development meets the objectives and standards of Clause 55 of the Darebin Planning Scheme.