

Our Ref: 17-1061

30 November 2017



Chief Executive Officer
City of Vincent
PO Box 82
LEEDERVILLE WA 6902

Attention: Rana Murad – Senior Urban Planner

Dear Rana

NO. 7 CHELMSFORD ROAD, MOUNT LAWLEY – DEVELOPMENT APPLICATION FOR CHANGE OF USE TO EATING HOUSE – PROVISION OF SUPPORTING JUSTIFICATION

TPG + Place Match is pleased to provide the following town planning justification on behalf of the landowner and applicant for the development application seeking a change of use to 'Eating House', and modifications to the existing building at No. 7 Chelmsford Road, Mount Lawley (subject site).

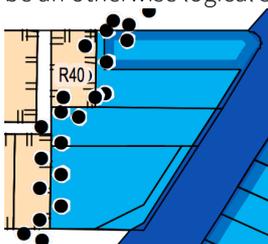
Town Planning Context

It is noted that the subject site is zoned 'Residential R40' under the City of Vincent Town Planning Scheme No. 1 (TPS 1), as are the properties to the west and north, with land zoned 'Commercial' and 'District Centre' abutting the site to the south and east and being properties which form part of the Beaufort Street activity corridor. Despite the surrounding residential properties, the subject site does not abut any neighbouring dwellings, being physically separated along its western boundary by a right of way, and the existing dwelling to the rear being located on the same lot and in the same ownership.

It is also noted that the opposite site, at No. 4, is similarly zoned 'Residential' but operates as a commercial business.

In this regard, despite the 'Residential' zoning, the site represents a transition or buffer site, between the various commercial uses and zonings of the Beaufort Street activity corridor, and the residential area to the west along Chelmsford Road. The existing context is therefore considered to one of mixed-use, which is not strictly defined by the extent of the residential and commercial zonings, in that commercial businesses exist within the residential zone, and similarly residential apartments exist within the commercial zonings along Beaufort Street.

The zoning of the site could furthermore be seen as an anomaly, as when viewed in the context of the City's TPS 1 map (extract below), it does appear as a stand-alone residential site, within what would appear to be an otherwise logical street block of 'Commercial' and 'District Centre' zoned land.



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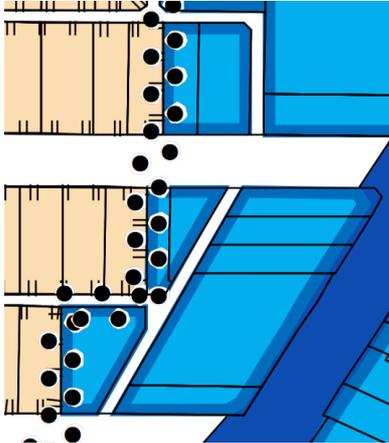
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This proposition is further supported when contrasted with the zoning interface of the street blocks to the north (extract below), where commercial zoned properties fronting Beaufort Street directly abut residential zoned properties fronting Chelmsford Road and Grosvenor Road to the west.



Notwithstanding this, the existing zonings are acknowledged, as is the retention of the residential zoning for the subject site under the City’s draft Town Planning Scheme No. 2, and the proposed change of use must be considered having regard to the potential amenity impacts on the locality.

Justification and Planning Merit

Firstly it is acknowledged that in response to the submissions received, the proposed Eating House has been scaled down significantly, as detailed in the correspondence from KTR Creations dated 29 November 2017, but most fundamentally, from a capacity of 49 patrons originally proposed, to now 28 patrons. As a measure of the intensity of the proposal, this could be appropriately applied as a condition of any planning approval by the City, so as to limit the number of patrons being served at any one time.

The concept of a café/restaurant within the ‘Residential’ zone has been considered by the City previously, and found to be appropriate, noting the following examples located nearby the subject site:

- Mt Etna Café & Pizzeria at 360 Stirling Street, Perth (approximately 420 metres southeast)
- Longlae Thai Cuisine at 104 Grosvenor Rd, Mount Lawley (approximately 570 metres northwest)
- Chu Bakery at 498 William Street, Highgate (approximately 650 metres southwest)
- Pearl of Highgate bakery at 189 Lincoln Street, Highgate (approximately 670 metres southwest)
- Lincolns 102 Café at 102 Lincoln Street, Highgate (approximately 620 metres south)

All of these existing café/restaurants are on sites zoned ‘Residential’, and are located within areas that are more predominantly residential in nature, as distinct from the subject site which abuts the Beaufort Street activity corridor. Whilst each application needs to be considered on its own merits, and with regard to the particular context of the site, the point is that the City of Vincent has an established practice of supporting local hospitality businesses within residential streets, that are of an appropriately small scale, and serve the local population. This collection of businesses contribute to the character, vitality and desirability of the City of Vincent as a local government area, and the inner-urban nature of Mount Lawley on and adjacent Beaufort Street; and the proposal for the subject site, being a family-run small scale restaurant is consistent with this established approach and will further enhance the established character of the locality.

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This established positive approach of the City to appropriately scaled café/restaurants within residential areas, along with the requested support for this application is consistent with the general objectives of the City's TPS 1, and in particular:

- (c) to ensure the use and development of land is managed in an effective and efficient manner within a flexible framework which –*
- (i) recognises the individual character and needs of localities within the Scheme zone area; and*
 - (ii) can respond readily to change;*

The immediate interface with the neighbouring dwelling to the west is characterised by the existing right of way (ROW) and the paved side setback area of the existing building on the subject site which provide a physical separation. In terms of managing this interface, the proposed restaurant has been oriented away from the dwelling, and towards Beaufort Street, through the location of car bays and a landscape zone along the boundary with the ROW.

Specifically with regard to the required car parking, the City's Parking and Access Policy requires 1 car parking bay per 5 patrons before any adjustment factors are taken into account. So for 28 patrons 5.6 car bays would be required. Applying adjustment factors 2 and 3A (proximity to bus routes and existing off-street public car parking bays) reduces the required car parking to 3.584 bays. It should be acknowledged that the site sits just outside of, and abuts the boundary of the Mt Lawley/Highgate Town Centre as identified by the Policy, and whilst this adjustment factor of 0.8 has not been applied, an argument could be made that a reduced adjustment factor of 0.9 would be appropriate. Notwithstanding, the two bays proposed onsite this represents a shortfall of 1.584 bays. This shortfall is considered very minor in the context of the locality, and in particular the 195 existing public off-street bays within the City of Vincent Raglan Road, Chelmsford Road and Barlee Street car parks, plus additional on-street bays, and furthermore the demonstrated availability of public/on-street car parking bays as per the KTR Traffic Impact Statement prepared and dated 5 October 2017. This survey found that there was an average availability of 31% of the surveyed 176 bays, meaning that there is existing capacity of an average of 55 bays that would comfortably accommodate both the reduced shortfall of 1.584 bays, and the shortfall of 3.6 bays without applying the adjustment factors.

Given the location of the site, it is expected that customers will typically enter and exit on foot from Beaufort Street, owing to this being the established activity corridor provided with public transport bus stops and public car parking; or from the north, for customers utilising the public car parks between Chelmsford Road and Raglan Road. Owing to the limited ability to provide on-site car parking bays, this will have the effect of reducing vehicle movements to and from the site, and reducing the associated impacts, given that visitors to the Beaufort Street activity corridor more generally will typically tend to park once within a public or on-street car park, and then walk to the desired destination. This form of reciprocal parking, being the "park once and walk" approach, is considered entirely appropriate within an established and mature town centre such as Beaufort Street that is characterised by older buildings typically built to the boundary, from an era before private vehicle ownership became the norm. This therefore limits the ability to provide parking onsite, as evidenced by the extent of the existing building on the subject site, and the limited open space that could accommodate car parking.

As to the wider area and other considerations, potential amenity impacts associated with the proposal are considered to be: hours of operation, noise and light spill, pedestrian traffic, and liquor licensing, all of which are matters which can be appropriately controlled via conditions of any planning approval, and via compliance with other regulations.

The proposed restaurant seeks to serve customers until 10pm, which is a standard closing hour for restaurants, and is considered reasonable in the context of the site location adjacent the Beaufort Street

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activity corridor. Furthermore, noise associated with the proposed use will be subject to compliance with the *Environmental Protection (Noise) Regulations 1997* in any case. With regard to liquor licensing and customer management, subject to obtaining planning approval, a further approval would be required from the Department of Local Government, Sport and Cultural Industries (formerly the Department of Racing, Gaming and Liquor) for a restaurant liquor licence, with responsible service of alcohol and customer management practices to be appropriately controlled via this separate process.

In summary, the proposal is considered to be of sufficiency small scale, and that the potential amenity impacts can be appropriately addressed via conditions of any planning approval. Having regard to the uniqueness of the site zoning, location and context, just outside of the Beaufort Street activity corridor, along with the City's established practice of supporting appropriately scaled local café/restaurants within residential areas, it is considered that the proposal warrants approval.

Yours sincerely

TPG + PLACEMATCH



Dan Lees
Associate