

Attention: Planning Department
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Wednesday, 1 August 2018

Justification Letter | 157 Loftus Street, Leederville

Dear Sir/Madam

The purpose of this letter is to justify several variations to deemed-to-comply (DTC) planning provisions of the applicable local planning framework for a Development Application (DA) at 157 Loftus Street, Leederville, henceforth known as the 'subject site.' The DA seeks approval for four (4) multiple dwellings.



BACKGROUND

5. The lot immediately to the north has been recently subdivided. Subdivision has created a pedestrian accessway which will buffer the development from the retaining dwelling to the north.
6. The subject site is located in the 'Transit Corridor' and is subject to a maximum three (3) storey building height limit.



Figure 1 Street view of the subject site (Google Maps)



Figure 2 Aerial view of the subject site (Intramaps City of Vincent)

CLARIFICATION

The development conforms to the R-Codes definition requiring it to be assessed and classified as Multiple Dwellings on account of a portion of the plot ratio area of Unit 4 (bed 1) being vertically above a part of the plot ratio area of Unit 3 (bed 2) below.

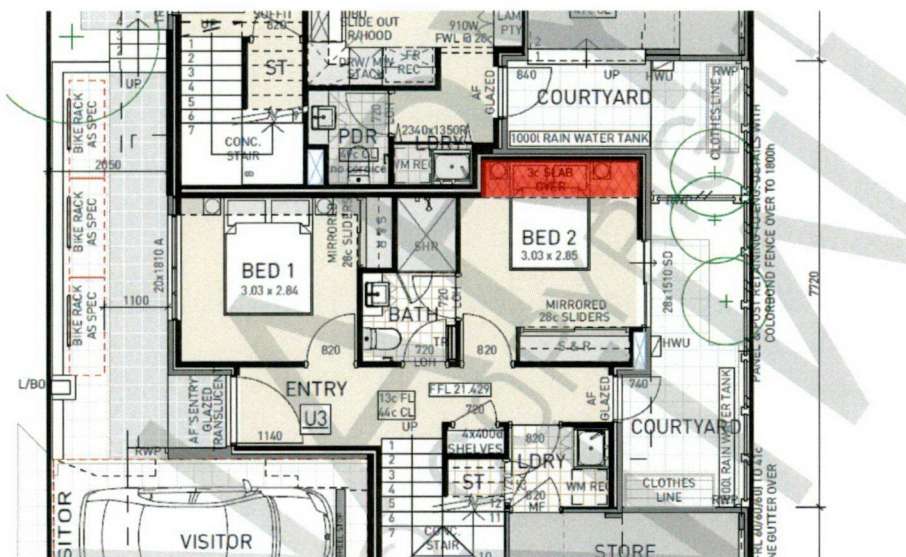


Figure 3 Extract of DA plans identifying the portion of the proposal qualifying the entire development as being defined as 'Multiple Dwellings.'

VARIATIONS & JUSTIFICATION

The following section outlines variations identified by the Client and justifies those variations against applicable design principles, objectives, and relevant town planning considerations.

R-CODES CLAUSE 6.1.1 BUILDING SIZE

| Design Principle | Justification |
|---|---|
| <i>Plot Ratio exceeds 0.7. The proposal seeks a plot ratio of 0.775. The variation can be quantified as an additional 40m² of plot ratio area.</i> | |
| P1 Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing or future desired built form of the locality. | <p>The siting and design of the development has been carefully considered to ensure a limited impact upon adjoining residences to ensure the variation can be successfully assessed against the design principles. The plot ratio has exceeded the deemed-to-comply criteria of the R-Codes to deliver a high-quality design which incorporates strong sustainable principles and the highest level of amenity for its residents.</p> <p>The built form outcome is consistent with other development approved in very similar locations. In comparison, we believe the proposal, makes a greater contribution to the streetscape as it integrates well with the surrounding built form environment.</p> |



Figure 4 An architectural render of the proposed development.



Figure 5 Hn.163 Loftus Street, Leederville in very similar location.

Design Principle

Justification

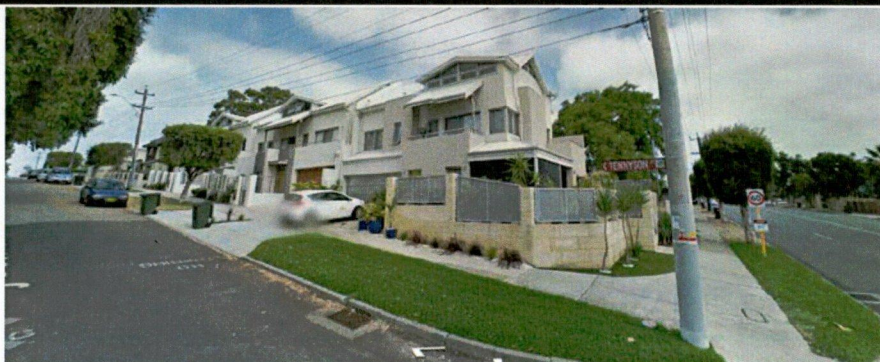


Figure 6 Hn. 175 Loftus Street, Leederville in very similar location.



Figure 7 Hn. 174 and Hn. 172 Loftus Street, North Perth located in a proximate location.

It is considered the scale of the building harmonises with the character of the surrounding built environment. The proposed plot ratio variation of 40m² is considered to be minor as it does not give rise to the creation of an additional dwelling.

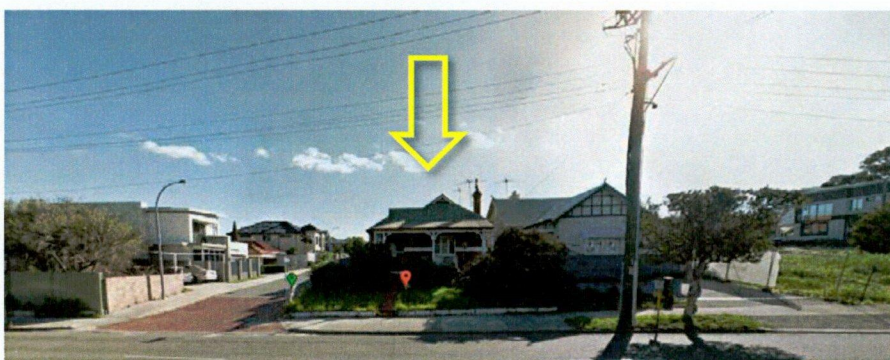


Figure 8 Street view of the subject site 157 Loftus Street, Leederville (Google Maps)

R-CODES CLAUSE 6.1.4 LOT BOUNDARY SETBACK

| Design Principle | Justification |
|------------------|---------------|
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| | |
|---|---|
| The upper floor north boundary wall to U3 ensuite is not setback is compliantly. | |
| P4.1 Buildings set back from lot boundaries or adjacent buildings on the same lot so as to: | |
| • ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them; | <p>The protruding porting of wall is design to correspond to the location where the pedestrian accessway adjoining returns north. The portion of wall itself has no capacity to impact direct sunlight to adjoining dwellings as it is located due south.</p> <p>The position of the wall relative to the remaing portion of the developments results in the variation having little to no ability to impact on natural ventilation to any dicerbable degree.</p> |



Figure 9 Site analysis/context plan, upper floor (hatched black), ground floor (hatched red.) (Variation articulated in dark blue).

| | |
|---|---|
| • moderate the visual impact of building bulk on a neighbouring property; | <p>The wall setback variation provides articulating to the north facing façade and provides the elevation with a vertical emphasis. The protrusion could have the effect of screening the remaining upper level of the proposal as viewed from the western-most northern adjoining lot. This portion of wall, whilst setback greater than the remaining elevation has the least amount of articulation.</p> |
|---|---|



Figure 10 North facing elevation (variation shaded yellow)

- ensure access to daylight and direct sun for adjoining properties; and
- assist with the protection of privacy between adjoining properties.

The position of the subject site and the remaining built form, relative to the only adjoining residential area (north,) results in the variation being unable to contribute to any loss of direct natural sunlight at any time of the day.

The minor mass of the wall allows additional privacy to be enjoyed by the users of the ground floor courtyard of proposed Unit 2 positioned immediately east of the variation.

Local Planning Framework Design Principles

P4.3.1 Development which incorporates design elements that reduce the impact of building bulk. The proposal has used massing and articulation to achieve a reduction in building bulk. The varying wall setbacks are combined with staggered FFLs and corresponding building heights which following the natural contours of the subject site.

P4.3.2 Development which maximises natural light access, natural ventilation, internal and external privacy. The use of a white masonry render finish will improve natural light reflectivity to the southern façade of northern adjoining properties as well as external spaces appurtenant to the proposal. The reflectivity of natural light can be considered to offset any impact of the reduced wall setback being that the wall is located directly south.

An examination of the floor plans reveal each multiple dwelling is designed to achieve a high level of cross ventilation across each level.

P4.3.3 Setbacks that facilitate the provision of landscaping. The northern setback and the design scheme in general has been prepared to specifically accommodate landscaping on the northern side boundary. The landscaping is expected to reduce the bulk and scale of the façade as it will have a reduced visual prominence.

The protrusion sits above an on boundary wall and therefore cannot impact the provision of landscaping.

Design Principle

Justification

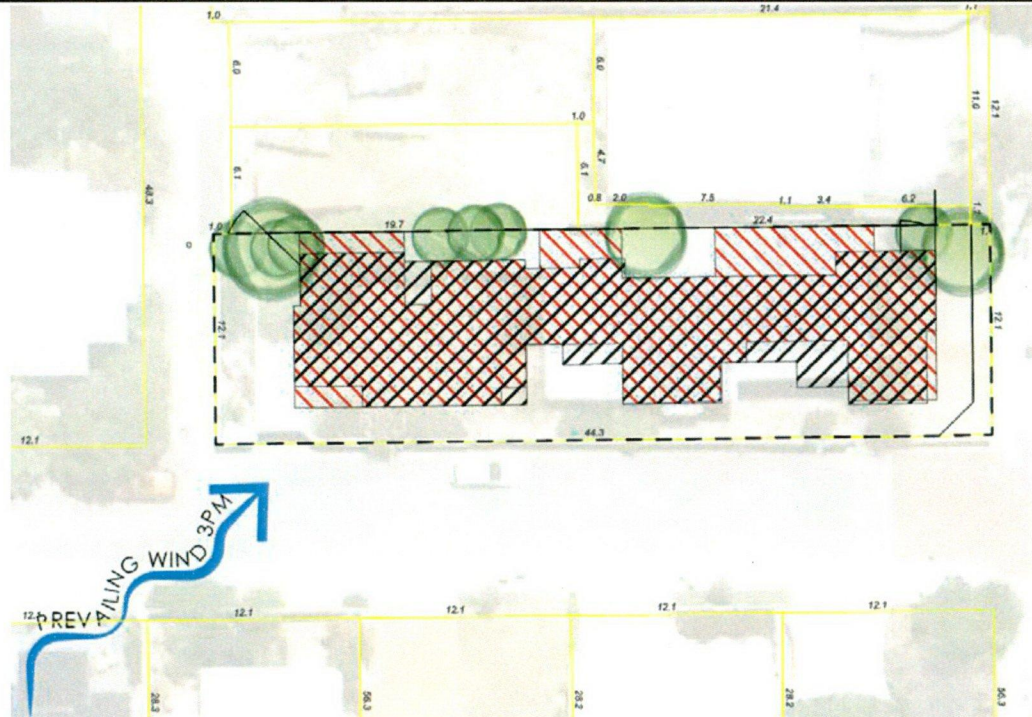


Figure 11 A depiction of vegetation currently proposed along the northern boundary only on the subject site.

P4.3.4

Development which activates and addresses rights of way.

The design as proposed activates and addresses both adjoining ROW's whilst ensuring privacy of the dwelling opposite. Architectural renders and the elevations submitted as part of this DA demonstrate the designs ability to successfully address this housing objective.



Figure 12 West facing elevation.



Figure 13 South facing elevation, Austen Lane in foreground.

R-CODES CLAUSE 6.1.5 OPEN SPACE

| Design Principle | Justification |
|------------------|---------------|
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Open space non-compliant (45% Req.) 37.5% proposed.

P4 Development incorporates suitable open space for its context to:

P5 Open space respects existing or preferred neighbourhood character and responds to the features of the site.

To ensure design is respectful of local context and in a response to the transitional location of the site, the proposal has demonstrated restraint by not building to three (3) storeys as permitted. Whilst the subject site itself is located in the transit zone, three (3) adjacent lots to the south and the adjacent lot to the west are not, and are subject to a two (2) storey height limit.

The lot to the north has been subdivided into three lots which included the retention of a heritage style single storey dwelling, generally incapable of achieving two (2) storeys let alone three (3).



Figure 14 Extract - Built Form Areas Policy No. 7.1.1. - Transit Zone (Green)

The design has responded well to the existing features of the site, particularly the natural ground levels as it avoid major interference with. This preserves the natural topography at the expense of have to use stepped footings and upper level slab.

The figure below articulates the extent of FFL variation required in the design to remain completely sympathetic with the natural ground levels.

| Design Principle | Justification |
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Figure 15 FFLs of both slabs highlights along the southern façade.

The design is skilful and promotes site-sensitive design to make the best of the natural terrain to achieve diversity of housing styles and a sense of place and neighbourhood identity.

The design choice to limit building height to a contextually sympathetic two (2) storeys has contributed to a short fall in open space whilst better reflecting the existing neighbourhood character.

R-CODES CLAUSE 6.3.2 LANDSCAPING & LPP CLAUSE 4.1

| Design Principle | Justification |
|------------------|---------------|
|------------------|---------------|

1. The design proposes carparking within secondary street setback
2. The deep soil zone area is 13.41% in lieu of 15%. The shortfall is 8.45m².
3. The design submission is pending a Landscape Plan and Landscape maintenance schedule. The former will determine accurately the amount of canopy cover achieved.

P2 The space around the building is designed to allow for planting. Landscaping of the site is to be undertaken with appropriate planting, paving and other landscaping that:

- meets the projected needs of the residents;

In comparison to a typical multiple dwelling development or grouped dwelling development, this design has not been required to sacrifice a significant amount of open space area to achieve a compliant vehicle movement network. The design outcome has manifested itself in each dwelling's external living areas far exceeding minimum requirements and a far superior outcome.
- contribute to the streetscape; and

Each dwelling is provided a minimum of two (2) 'habitable' external areas, with a minimum of one having access to direct winter northern sunlight. Further, OLAs are provided without fixed cover to maximise natural light penetration.
- enhance security and safety for residents;

The majority of landscaping proposed is located along the boundaries of the subject site adjoining each of the three street frontages. As a formal landscape plan is yet prepared, the applicant will incorporate feedback provided during the design review and assessment process into appropriate plant selections.
- The design submitted provides a high level of natural surveillance, both active and perceived to the surrounding public spaces. The minimal setback of the upper level balconies, and the driveway areas below will ensure landscaping does not obstruct line-of-sight to Austen Lane.

Local Housing Objectives

| Design Principle | Justification |
|---|---|
| P4.10.1 Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces. | The proposal has ensured sufficient space along the northern boundary is provided to ensure a suitable vegetation buffer is achieved between the properties. |
| P4.10.2 Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings. | The multiple dwelling land use has triggered the requirement to provide a substantial rear buffer, not otherwise achieved in a group dwelling development. This has emphasised the sense of open space between the proposal and the building to the west. |
| P4.10.3 The integration of sustainable landscape design with the building creating a greater landscaping amenity for residents and occupants and the community. | The landscape plan has not yet been prepared. The built form has been designed to be able to integrate with areas designated for landscaping. |
| P4.10.4 The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect. | The landscape plan has not yet been prepared. It is anticipated, that with appropriate plant selection to the areas designated for landscaping, the proposal will be able to achieve 30% canopy cover. |
| P4.10.5 Landscaping design which facilitates the retention of existing vegetation and deep soil zones. | The subject site has two trees capable of being considered worthy of retention. The larger tree is located in the rear setback area designated for landscaping. |

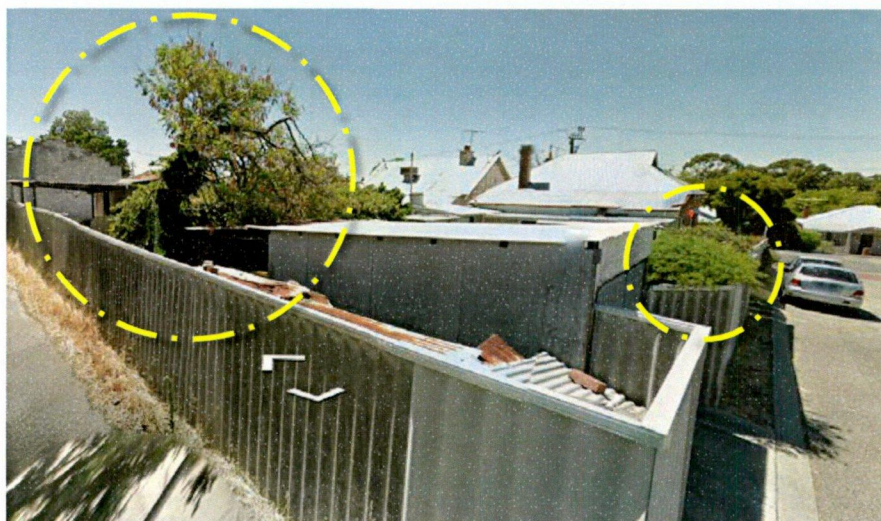


Figure 16 Existing trees to be retained.

P4.10.6 Landscaping at the rear of the property should not negatively

The landscape plan has not yet been prepared. The vehicle access to unit 4 is aligned with a major opening located on the level above. The proposal will maintain its ability to activate the ROW with active natural surveillance.

| Design Principle | Justification |
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| <p>impact on the use and activation of a right of way.</p> |  |

Figure 17 Major opening located above driveway will ensure perpetual activation of the ROW.

P4.10.7 Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.

The four 'external' car parks are ensured shading through design. Three of the car bays are located on the southern side of the proposal and are afforded permanent cover from the balcony above to 4.14m of the 5.5m bay length.

As the area without cover would be afforded greater shade as the sun is not directly above, a B85 dimension vehicle would typically only have sun cast, if any, onto the boot area.

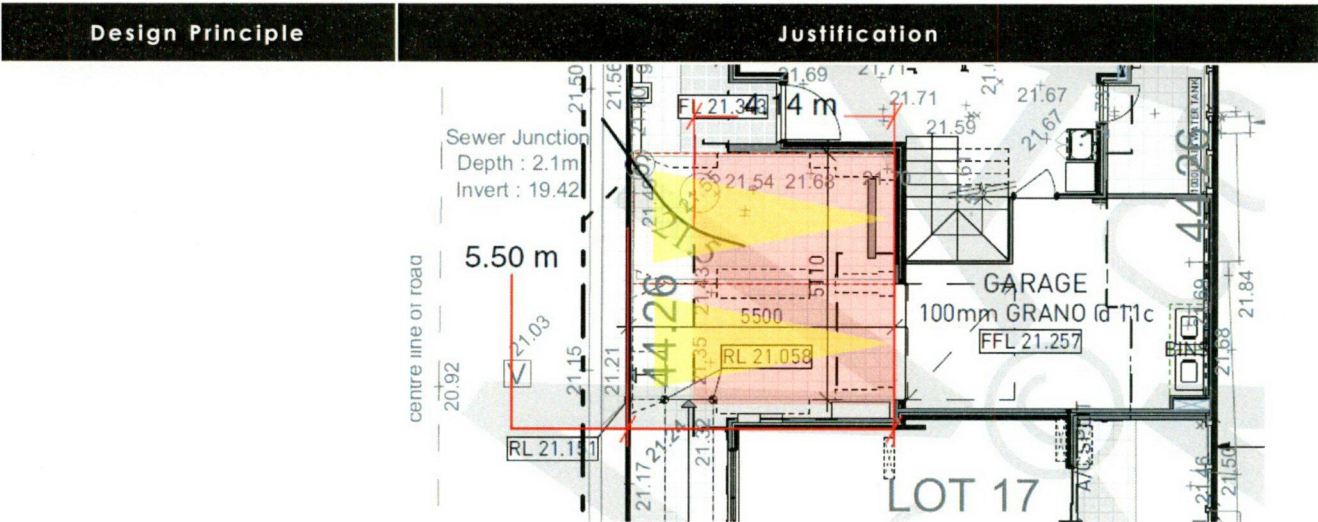


Figure 18 A B85 dimensioned vehicle (yellow) positioned into the partly covered car bay (covered area shaded red).

The Unit 4 car bay will be shaded by the larger retained tree and other trees proposed as part of the landscaping plan, as indicated on the site plan submitted.

R-CODES CLAUSE 6.3.4 DESIGN OF CAR PARKING SPACES

| Design Principle | Justification |
|---|--|
| <ol style="list-style-type: none"> 1. Carparking is visible from street. 2. Visitor Bays provide an accessible path of travel for people with disabilities. | <p>The car parking visible from the street is very difficult to conceal on this particular site due to it being bound on three sides by public vehicle accessway. The car parking is however designed to be accessed from Austen Lane, as opposed to Loftus Street. As each dwelling is only required to provide one resident car bay, the tandem bays will be able to perform the function of a visitor parking bay, which is otherwise required to be visible from the street.</p> <p>Generally, the impact of garage doors on the streetscape has been limited by the decision to propose a tandem parking configuration for each dwelling. The garage doors are setback 5.5 m from Austen Lane as a result.</p> <p>The visitor bay provided is accessible directly from Austen Lane, a gazetted road. Austen Lane is 10m wide and is serviced by a functionally dimensioned footpath. The traffic volume on Austen Lane is expected to be minimal, with the road being safe to cross to those requiring the disability accessible path of travel located on the opposite site of the road.</p> |

R-CODES CLAUSE 6.3.6 SITE WORKS

| Design Principle | Justification |
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The development proposes excavation greater than 0.5m

P7.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.

Considering the extent of the fall which exists across both axis's, the limited extent of excavation and retaining required is quite remarkable. To ensure no overlooking result from earthworks, a cautious approach favouring excavation was adopted. This decision ensured that car bays were provide compliant access in respect to gradients from Austen Lane. The nature and extent of the topography affecting the site is highlighted in the figure below.

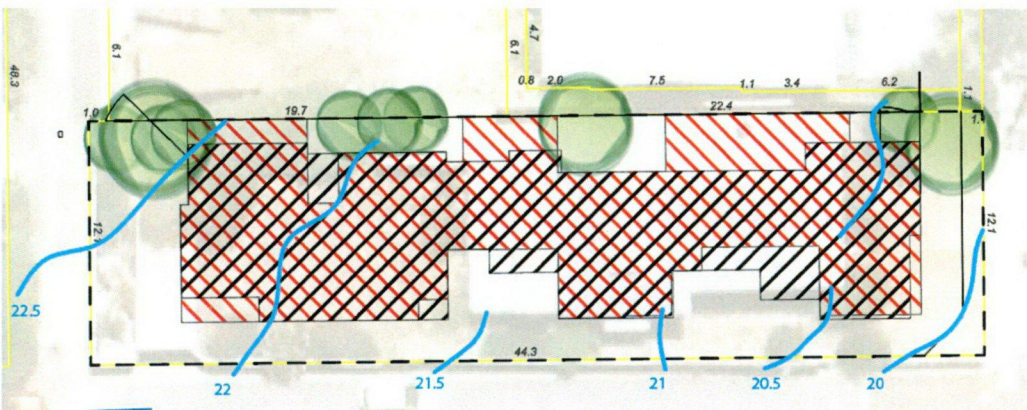


Figure 19 Natural ground levels across the site.

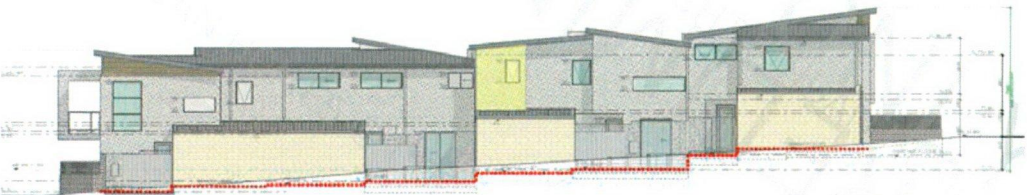


Figure 20 FFLs (red) as compared to the NGL across the northern boundary.

P7.2 Where excavation/fill is necessary, all finished levels respecting the

- natural ground level at the lot boundary of the site and as viewed from the street.

The FFLs were kept as close as possible to the NGLs where the proposal adjoins each street. Where NGLs are increased or decreased, the extent is minimal and is consequently concealed by compliant street boundary fencing.

R-CODES CLAUSE 6.3.7 RETAINING WALLS

| Design Principle | Justification |
|--|--|
| <i>Retaining proposed is greater than 0.5m</i> | |
| P8 Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having regard to clauses 6.3.6 and 6.4.1. | <p>Any retaining proposed exceeding 500mm is required to be certified by an engineer and approved as part of a subsequent Building Permit application. 50% of the retaining wall adjoins the newly created pedestrian access leg which will buffer against any perceived impact.</p> <p>It was not considered that terracing the excavation would result in an improved outcome for the following reasons:</p> <ul style="list-style-type: none">• The excavation to the boundary facilitates an external FFL at the same grade (1cl lower) as the appurtenant habitable room. Not only does this make the courtyard functional and capable of being used in conjunction with the internal areas of the dwelling, it prevents the ingress of water during storm events; and• Terracing the retaining the result in a 1m setback from the boundary would prohibit the area to qualify as a deep root zone. |

R-CODES CLAUSE 6.4.1 VISUAL PRIVACY

| Design Principle | Justification |
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Overlooking from Unit 1 into the adjacent dwelling. The location and extent of overlooking is depicted in pink in the figure below.

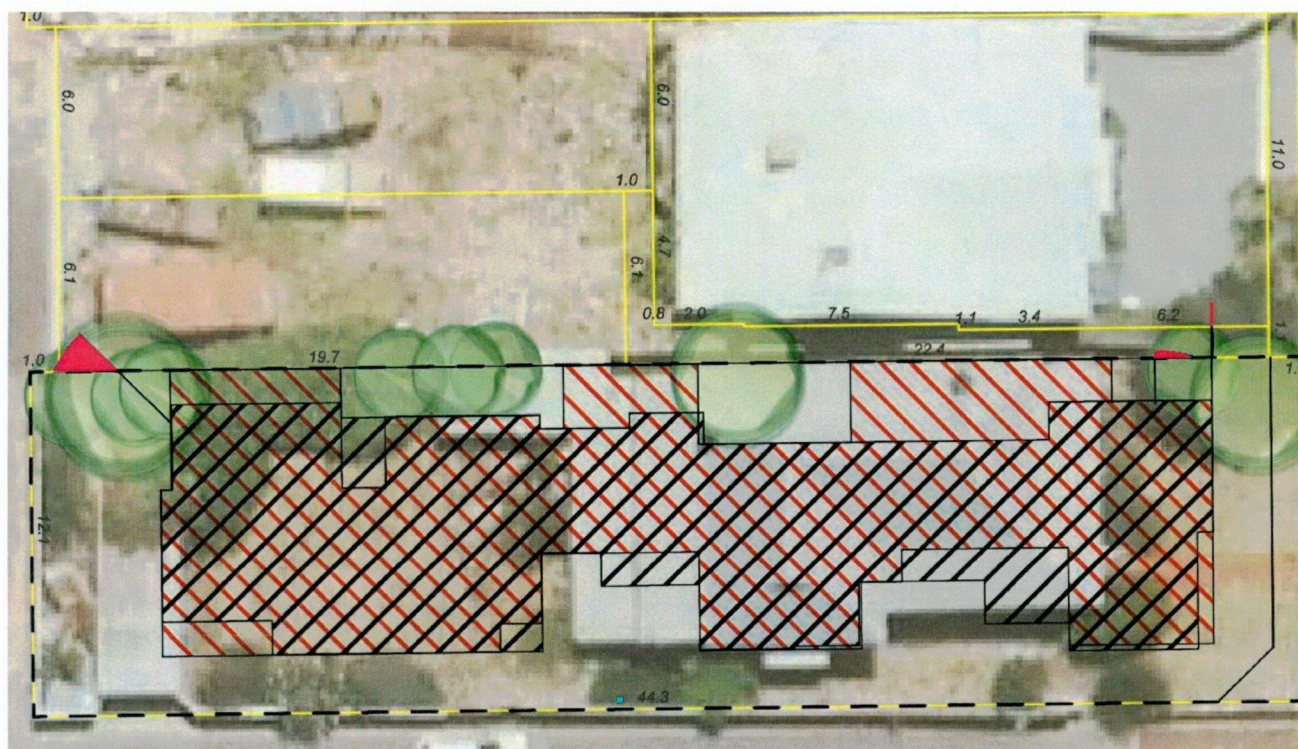


Figure 21 Extent of overlooking (Shaded in pink)

P1.2 Maximum visual privacy to side and rear boundaries through measures such as:

- offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;
- building to the boundary where appropriate;
- setting back the first floor from the side boundary;
- providing higher or opaque and fixed windows; and/or
- screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).

The proposal overlooks areas which are considered to be in the public realm. The overlooking is extremely minor and is the unintended result of major openings and balconies being positioned to provide natural surveillance of public areas.

The indicative landscape plan identifies vegetation on the north boundary which is expected to have a screening effect upon maturity. The screening would not be perennial in the likely event tree selections are deciduous. Regardless, the front balcony would be seldom used in colder months when any deciduous tree has lost its foliage.

LOCAL PLANNING FRAMEWORK

LPP CLAUSE 4.23 ENVIRONMENTALLY SUSTAINABLE DESIGN

| Design Principle | Justification |
|--|---|
| <ul style="list-style-type: none"> • Greywater suitability to be confirmed (Insufficient property area is available to achieve the necessary setbacks and area required for irrigation) • 5 star Green Star Rating pending | |
| <p>P1.8.1 It maximises passive solar heating, cooling, natural ventilation and light penetration to reduce energy consumption;</p> | <p>The design concept suitably balances obligations to maintain the privacy of the northern adjoining properties, with a desire to maximise passive solar heating and light penetration.</p> <p>Ground floor OLA's are selected, where appropriate, to capture northern light, whilst the primary upper level OLAs of the two central units are to be constructed with a fixed open pergola structure to offset the inability to locate the OLA on the northern boundary. Direct sunlight is captured to the upper level kitchen to ensure light penetration to the living area. The upside down design has allowed for an improved passive solar design outcome.</p> <p>With reference to natural ventilation, the physically unobstructed southern and western elevation ensure the upper level balconies are able to harness the cooling prevailing winds.</p> |
| <p>P1.8.2 It is capable of recovery and re-use of rainwater, storm water, grey water and/or black water for non-potable water applications.</p> | <p>Due to confined site dimensions, the applicant is currently confirming if the proposal is suitable to adopt greywater reuse technology. The proposal does specify 1000L rainwater tanks for each unit.</p> |
| <p>P1.8.3 Climate moderation devices can be incorporated to reduce passive solar gain in summer and increase passive solar gain in winter.</p> | <p>Most north facing windows are shielded from direct summer sun through eaves, thus limiting unwanted solar gains. The windows without eave coverage align with areas designated for landscaping which provide a natural solar-shielding solution.</p> |
| <p>P1.8.4 That it is capable of achieving one of the environmental performance ratings shown in the below table, or their equivalent*.</p> | <p>The proposal is seeking to achieve a 5 star Green Star rating. We ask the City liaise with the applicant for further details during assessment of the application.</p> |

[REDACTED]

[REDACTED]