

12 February 2019



Our Ref: BWR ORA XX

Town Planners, Advocates and Subdivision Designers

ABN 24 044 036 646

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

Attention: Stephanie Norgaard

Dear Sir/Madam

**RE: PROPOSED ALTERATIONS AND ADDITIONS TO 14 ORANGE AVENUE, PERTH**

We refer to the Council resolution of 16 October 2018 in regard to the above mentioned application whereby Council resolved to defer the application for the following reason:

*to allow the applicant to pursue a design outcome that is respectful and sensitive to the existing streetscape and character of Orange Avenue*

We have reviewed the Council resolution, the planning framework, viewed the surrounding locality and worked with the landowner, Derek Bower, to present this revised planning proposal.

**Alternative options considered**

After the application was deferred by Council, various alternative were considered in order to address Council's reason for deferral which was *"to allow the applicant to pursue a design outcome that is respectful and sensitive to the existing streetscape and character of Orange Avenue."*

An alternative design was pursued which involved increasing the front setback to the upper level addition. However, once we had undertaken preliminary design work, we were concerned that by setting the proposed upper level further back, this would likely result in a loss of City views for the northern adjoining property at 16 Orange Avenue. Furthermore if the front setback to the upper level proposal was simply increased this could potentially result in overshadowing of the window to the adjoining property to the south at 12 Orange Avenue, especially at 12pm on 21 June.

Therefore, having considered alternative options in terms of design outcome, we consider that the front setback proposed for the upper level is compliant with the deemed to comply front setback and is suitably positioned to minimise potential impact on the two abutting neighbours.

### **Streetscape**

In response to concerns raised in the submission and by Council in regard to the bulk and scale and potential impact on the streetscape, the plans have been modified to address this matter. The deemed- to-comply setback requirement is 6 metres and the proposed upper level is setback 10.63 metres, well in excess of the deemed to comply requirement.

In order to address this concern in regard to streetscape impact, the roof has been further modified to reduce the bulk when viewed from the street. The proposed new roof design starts as a 20 degree pitch and reduces gradually towards the front of the dwelling. This assists to further screen the upper level and reduce the bulk of the proposed addition, whilst also respecting and retaining the gable fascia to the existing dwelling. This new roof treatment, coupled with the existing frangipani tree and proposed landscaping will preserve and enhance with existing streetscape.

The subject property sits near the corner of Orange Avenue and Hope Street. Within this streetscape the following is noted:

1. There is a two storey dwelling at 2a Hope Street that presents as two storeys on the front elevation, with the ground and upper levels both being setback approximately or less than 3 metres, being significantly less than the 6 metre deemed to comply. This two storey dwelling sits well forward of the adjacent single storey dwellings at 2-14 Hope Street.



Dwelling at 2a Hope Street

2. The property at 16 Orange Avenue has a structure fronting Hope Street that is not dissimilar in scale to a two storey building and this has a nil setback to Hope Street.



Structure at 16 Orange Avenue, fronting Hope Street

3. There is another upper level addition at 7 Orange Avenue Perth, which, similar to our proposal, is articulated with the upper level set back behind the front facade of the original dwelling.
4. Accordingly the streetscape of Orange Avenue and Hope Street contains structures greater than single storey in nature with a significantly less front setback than that proposed in this application.

Comparatively the setbacks at 14 Orange Avenue are:

- The front setback to the verandah to the existing dwelling on the subject property at 14 Orange Avenue is approximately 3.5m;
- The front setback to the wall of the existing dwelling is 6 metres; and
- The upper level is proposed to be setback 10.63 metres, resulting the upper level being setback more than 4 metres behind the existing front façade.

The 10.63 metre front setback to the upper level is to a section of the upper level that is 3.7 metres in width (being one third of the property width), so this will present as a minor element in the streetscape. The main component of the upper level addition, with a width of 6m, is setback approximately 13 metres from the front boundary and more than 6 metres behind the front facade of the existing dwelling.

This proposal is compliant with the deemed to comply requirements in terms of front setback and is respectful and sensitive to the existing streetscape and character of Orange Avenue. The design proposal retains the single storey presence on the streetscape with the upper level being well setback and less than the width of the existing house and approximately one third of the width of the property. This is compatible with the streetscape and scale of existing buildings in the street. This design solution also ensures that the upper level does not create adverse impacts to the rear yards of the adjacent neighbours.

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### **Northern setback**

Whilst the proposal does not comply with the deemed to comply setback to the northern boundary, the subject site and the adjoining site to the north are a duplex pair with a pitched roof that has the apex at the party wall at the common boundary. The proposed upper level is located such that it is adjacent to the party wall, therefore will not present as bulk directly abutting the upper level. The upper level would be visible from the rear yard. However, if the upper level were to be setback further, the perceived bulk from the rear yard would be exacerbated.

In regard to the design principles of the R Codes, Clause 5.13 Lot Boundary Setbacks, the following is provided:

- The development does not present any significant adverse impact of building bulk to the adjoining property because the upper level is located above the existing party wall;
- As the proposed addition is to the south of 16 Orange Avenue, the proposal will not affect access to direct sun and will not affect access to ventilation;
- The proposed addition complies with the deemed to comply provisions in regard to overlooking and therefore will not result in loss of privacy.

For these reasons, it is considered that the lot boundary setback meets the relevant design principles.

### **Southern setback**

The existing dwelling has a wall length of 3.8 metres and a length of 25.4 metres. The proposal seeks to simply utilise the existing setback. The current wall length is 23m and it is proposed to reduce that wall length. Furthermore it is proposed to articulate the building with windows. As detailed in the City's Built Form Local Planning Policy, one of the methods of reducing building bulk is to provide articulation. Three methods of articulation in regard to this setback is providing windows or openings (such as the proposed stacking door, use of varying materials (rendered brickwork, Colorbond cladding and concrete walls) as well as varying the setback of the upper level to the southern side boundary.

In regard to the design principles of the R Codes, Clause 5.13 Lot Boundary Setbacks, the following is provided:

- The development does not present any significant adverse impact of building bulk to the adjoining property, the setback variation is to the ground level, not the upper level. The wall length of the ground floor is less than what is existing and through the use of more openings and use of varying building materials, the proposal will not present any adverse impact in terms of building bulk. ;
- The ground level of the proposal does not result in overshadowing impacts for the openings or outdoor living area to the adjoining property to the south. If the proposal was to incorporate a greater front setback, this would result in overshadowing of the window to the neighbouring property. This proposal will not adversely affect access to direct sun and will not affect access to ventilation to the neighbouring property;

- The proposed addition complies with the deemed to comply provisions in regard to overlooking and therefore will not result in loss of privacy.
- For these reasons, it is considered that the lot boundary setback meets the relevant design principles.

### Conclusion

The proposal as originally lodged was previously modified to reduce the building height of the development such that it is compliant with the deemed to comply provisions. The materials of the addition predominantly reflect the materials used in the area

Council's Built Form policy states:

articulation refers to points within a dwelling that clearly distinguish one part of the dwelling from another, such as setback between the ground and upper floors and indentations or 'breaks' within building walls

Appendix 1 of the design principles of the City's Built Form Policy states:

*Good design considers the orientation, proportion, composition, and articulation of built form elements, to deliver an outcome that is suited to the building's purpose, defines the public domain, respects important views, contributes to the character of adjacent streetscapes and parks, and provides a good pedestrian environment at ground level.*

The proposal has a clear articulation of built form elements, the upper level is located to respect view of the neighbour and minimise impacts upon the neighbours.

We consider that this design solution, which provides a separation of at least 4 metres between the front façade of the ground floor and front elevation of the upper level and utilises a variety of materials and includes an opening on the front elevation of the upper level, provides articulation in a manner that is sympathetic to the streetscape of Orange Avenue and Hope Street.

As outlined in the officer report, the only planning element for which the proposal does not meet the deemed to comply is the side setbacks. Whilst the proposal meets the deemed to comply front setback, alternative options were considered in regard to increasing the front setback. However such alternative designs would result in other unintended consequences, including but not limited to:

- Overshadowing of the window that immediately abut the southern adjoining property (12 Orange Avenue);
- Potential loss of city views from the elevated deck to 16 Orange Avenue; and
- Potential increase in bulk and scale when viewed from the rear yards of 12 & 16 Orange Avenue.

It is considered that the revision to the roof element with its modified sloping design between the proposed upper level and the front facade of the dwelling respects the character of Orange Avenue and assists to ameliorate any potential concerns in regard to bulk and scale of the proposal. Furthermore the alternative roof design and materials chosen will respect the streetscape and also present as a modern addition to an original dwelling, with the upper level being set well back from the street.

In conclusion, we believe that this modified proposal meets the design principles of the R Codes, exceeds the front setback deemed to comply requirements, is consistent with the principles of the City's Built Form Policy and *is respectful and sensitive to the existing streetscape and character of Orange Avenue and Hope Street taking into account other existing developments in this streetblock.*

For these reasons we believe that it is appropriate that this application be approved.

Should you require any further information, please do not hesitate to contact our office.

Yours sincerely

**ALLERDING AND ASSOCIATES**

CC: client