

# 1 <u>DEVELOPMENT OF FOUR DWELLINGS AT 10 STELLA STREET,</u> BEACONSFIELD

**FILE REFERENCE INT1929177** 

**RESPONSIBLE GENERAL MANAGER** Andrew Paxton

**AUTHOR** Emma Brennan

#### RECOMMENDATION

That a Notice of Decision to Grant Planning Permit **T190008** be issued for the **Development of four (4) dwellings and associated works** at **10 Stella Street, Beaconsfield VIC 3807** subject to the conditions attached to this report.

## **Attachments**

1 Locality Map
 2 Development Plans
 3 Copy of Objections, circulated to Councillors only
 1 Page
 2 Pages
 3 Locality Map
 4 Pages
 5 Pages
 6 Pages
 7 Pages

#### **EXECUTIVE SUMMARY:**

APPLICATION NO.: T190008

APPLICANT: Mr PEYMAN DAMANGIR

LAND: 10 Stella Street, Beaconsfield VIC 3807

PROPOSAL: Development of four (4) dwellings and associated works

PLANNING CONTROLS: General Residential Zone (Schedule 1)

No overlays.

NOTIFICATION & OBJECTIONS: Notice of the application was given by way of sending notices to

adjoining and near-by land owners/occupiers and by placing a sign

on the road frontage

Seven (7) objections have been received to date.

KEY PLANNING CONSIDERATIONS: Residential intensification, traffic impacts, amenity impacts,

neighbourhood character

RECOMMENDATION: Approval

#### **BACKGROUND:**

There is no relevant planning history to the site.

#### SUBJECT SITE



The subject site is a corner block located on the corner of Stella Street and Sylvia Road in Beaconsfield.

- The subject site has an area of approximately 756 square meters with a street frontage of approximately 23.6 m facing Sylvia Road and a street frontage of approximately 9.8 metres facing Stella Street.
- The site currently contains a single storey brick dwelling with associated outbuildings
- The site scattered shrubs and no significant canopy vegetation.
- The land is generally flat.
- The existing vehicle entry point to the site is located off Sylvia Road, along the eastern title boundary.

The surrounding area sees a mix of single and double storey detached dwellings, constructed predominately with brick veneer and tiled roofs. Front setbacks in the surrounding area vary significantly, between 4-9.5 metres. Frontages are generally open with some canopy vegetation within the frontages. Some examples of multi-dwelling developments exists in the wider context.

The site is a corner block, central to the Beaconsfield activity centre, public transport and open space areas. The Beaconsfield Primary School is located approximately 500 metres south east of the site and several secondary colleges within a 1km radius.

#### **PROPOSAL**

The application proposes the development of four double storey dwellings to replace the existing single storey dwelling on site. A 7.51 metre front setback is proposed for Dwelling 1 from Stella Street and 3 metre side street setback for Dwellings 2, 3 and 4 from Sylvia Road. Existing boundary fences will be retained. No front fence is proposed along Stella Street or Sylvia Road. The only side fence proposed delineates the secluded private open space area of Dwelling 1.

Each dwelling will comprise an open plan dining/kitchen area, laundry, three bedrooms (except Dwelling 1 which will comprise four bedrooms), two bathrooms, deck and private open space areas connected to living rooms, as well as garage facilities (double garage for Dwelling 1, single garage + tandem space for the remainder).

The dwellings will be constructed from a combination of face brickwork to the external ground floor walls, rendered lightweight material to the first floor walls, as well as rendered brick piers, aluminium windows and tiled roofing. A maximum building height of 7.45 metres is proposed. The existing crossover will be removed and two new crossovers are proposed on Sylvia Road for use of Dwellings 2, 3, and 4 and a crossover on Stella Street for use of Dwelling 1.

#### PLANNING SCHEME PROVISIONS:

# Planning Policy Framework (PPF)

The relevant clauses of the PPF are:

- Clause 11 Settlement
- Clause 15 Built Environment and Heritage
- Clause 16 Housing
- Clause 21.01 Cardinia Shire Key Issues and Strategic Vision
- Clause 21.03 Settlement and Housing
- Clause 21.04 Economic Development
- Clause 21.05 Infrastructure

Relevant Particular/ General Provisions and relevant incorporated or reference documents



The relevant provisions/ documents are:

- Clause 52.06 Car Parking
- Clause 55 ResCode (see assessment at Appendix 1)
- Clause 65 Decision Guidelines

# Cardinia Shire's Liveability Plan 2017-2029

Cardinia Shire's Liveability Plan has been developed to provide a clear framework for public health planning within the Shire, and it has a number of goals and actions relating to policy domains that include active travel, education, employment and housing. The application is considered consistent with this Plan as it supports an increase of housing and alternative housing types in close proximity to employment, transport, education and services.

## Zone

The land is subject to the General Residential Zone (Schedule 1).

## **Overlays**

The land is not subject to any overlays.

#### PLANNING PERMIT TRIGGERS

The proposal for the development of four dwellings requires a planning permit under the following clauses of the Cardinia Planning Scheme:

 Pursuant to Clause 32.08-6 a planning permit is required for the construction of two dwellings or more on a lot.

## **PUBLIC NOTIFICATION**

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing two signs on site

Council has received seven (7) objections to date.

The key issues that were raised in the objections are:

- Increased traffic and resulting pedestrian safety
- No visitor parking provided and less on-street parking available.
- Units with a double storey built form is out of character with the surrounding streetscape.
- Overdevelopment
- Neighbourhood Character
- Unreasonable pressure on existing infrastructure (sewerage and Old Princes Highway)

# **REFERRALS**

No external referrals were required to be undertaken.

The following internal referrals were undertaken:



| Traffic     | Supported. |
|-------------|------------|
| Engineering | Supported. |

#### DISCUSSION

The proposal for the development of four dwellings **and associated works** is considered consistent with the aims and objectives of the Cardinia Planning Scheme. The proposal delivers on relevant policies that seek to achieve attractive and liveable neighbourhoods and support housing in appropriate locations.

# **Planning Policy Framework**

A number of policies are relevant to this application, including Clause 11 Settlement, Clause 15 Built Environment and Heritage and Clause 16 Housing, which aim to encourage housing diversity, promote a high standard of design and achieve attractive, diverse, sustainable and liveable neighbourhoods.

- Clause 21.01 Cardinia Shire Key Issues and Strategic Vision
- Clause 21.03 Settlement and Housing
- Clause 21.04 Economic Development
- Clause 21.05 Infrastructure

At a local level, Clause 21.03 Settlement and Housing is also relevant to this application. This includes objectives and strategies to help deliver a range of housing types and increased densities, while being consistent with the existing and/or preferred neighbourhood character for the township.

Clauses 21.04 Economic Development seeks to integrate housing in a location which is close to jobs and services, as well as to roads, public transport and by foot. The proposed development responds to these clauses as it will support the increase of housing within an established area of Beaconsfield, with the commercial centre and train station located within close proximity to the site.

The proposal also contributes towards a diversity of housing types and sizes, with the proposed two-storey dwellings to provide a form of housing type that is currently not provided in the area. The immediate area generally consists of single-storey detached dwellings on lot sizes in excess of 600 square metres. A balance between dwelling diversity whilst respecting the character of the existing area is achieved, through the use of features and materials that are consistent with what is found in the wider area, such as brick cladding, concrete tiled hip roofing, eaves and open areas for landscaping.

The proposal is also considered consistent with the sustainability and energy efficiency objectives of the Planning Scheme, with the plans maximising the northern orientation of the proposed dwellings and associated private open spaces, and including large areas for landscaping and permeability.

## General Residential Zone (Schedule 1)

The General Residential Zone seeks to encourage development that respects the neighbourhood character of the area and to provide a diversity of housing types and housing growth in locations offering good access to services and transport.

While the use of the land for four dwellings does not require a planning permit under the zone, a permit is required to construct two or more dwellings on a lot under clause 32.08-6.

The decision guidelines of this overlay cover a number of matters, including:

• The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;



- The purpose of this zone; and
- The objectives, standards and decision guidelines of Clause 55.

The proposal reinforces the residential nature of the area and supports housing growth in an area that is well served by infrastructure and located close to the commercial centre of Beaconsfield.

An assessment against the requirements of Clause 55 has been undertaken with the proposal generally complying with all standards and objectives, with some minor variations allowed and a minor change required via permit condition.

Accordingly, the development is considered responsive to the existing and emerging character of the area, while achieving the zone's objective for housing diversity and growth in appropriate locations.

#### Garden Area

Clause 32.08-4 requires a minimum percentage of a lot to be aside as garden area when constructing or extending a dwelling or residential building on a lot. For a lot exceeding 650 square metres (such as the subject site), 35 per cent of the land must be set aside as garden area. The proposal meets this requirement, with 36.7% being achieved.

#### Clause 52.06 Car Parking

The purpose of Clause 52.06 includes the need to ensure the provision of an appropriate number of car parking spaces having regard to the activities on the land and to ensure that car parking does not adversely affect the amenity of the locality.

The proposal consists of three 3 bedroom dwellings and one 4 bedroom dwelling. Pursuant to Clause 52.06-5, dwellings with three bedrooms are required to provide a minimum of two car parking spaces. This has been achieved on site.

Accessways and internal dimensions of car spaces also comply with the design standards of this Clause.

# Clause 65 Decision Guidelines

The proposal is consistent with the Planning Policy Framework, the purpose of the zone and is consistent with the orderly planning of the area and not expected to have any unreasonable impact on the amenity of the surrounding area.

# OFFICER RESPONSE TO GROUNDS OF OBJECTION

A total of seven (7) objections were received during the notification period of this application. The key issues and themes that were raised in the objections and a response to each is provided below:

| Ground of Objection                                | Officer Response  |
|--|---|
| Traffic  |   |
| Pedestrian safety at risk due to increased traffic | Appropriate sight lines are provided to each crossover, allowing drivers to see pedestrians easily. The proposed access arrangements are considered typical and no pedestrian/vehicular conflicts are apparent.   |
|  | The plan has also been assessed by Council's Traffic Engineers, who are supportive of the proposal. It was noted that the proposed side fence for Dwelling 1 may require a building permit, given its proximity to the street corner. A note on any permit issued will require this to be obtained. |



| Traffic flow will be worse than it already is   | The additional traffic movements this residential proposal will generate is inconsequential and it is considered Stella Street and the surrounding road network is capable of accommodating this minor increase in traffic movements.   |  |  |
|---|---|--|--|
| Parking   | moreage in traine meveniente.   |  |  |
| No visitor parking  | Clause 52.06 of the Cardinia Planning Scheme does not require visitor parking to be provided for a four dwelling development.   |  |  |
| Being on a corner block, there will be reduced parking availability and therefore parking will occur outside other dwellings. | On-street parking is not allocated to any specific properties - it is shared by all residents and their visitors.   |  |  |
| No provision for home owners with more than two cars  | Clause 52.06 of the Scheme requires 2 car spaces to be provide for each 3 bedroom dwelling, which has been satisfied.   |  |  |
| Limited parking opportunities in the street due to medical facilities and child care centres.                                 | Whilst Stella Street and surrounding streets may have some additional parking demand from local commercial businesses, the proposal provides adequate onsite parking and there is still on-street parking available in this area of Beaconsfield.   |  |  |
| Streetscape   |   |  |  |
| There are currently no other two storey buildings within Stella or Sylvia Street  | Whilst there are no examples within the immediate area, there are no planning controls precluding double storey built form in this area. An assessment of the proposed built form against the relevant standards of ResCode (see Appendix 1) demonstrates that the proposal complies with this policy, as the upper levels are broken up with separation and good articulation. |  |  |
| A majority of dwellings in the surrounding area are detached on large blocks.   | The planning scheme calls for housing diversity, with this proposal accommodating for households with 1-3 people. The proposed dwellings will contribute towards this diversity.  |  |  |
| Proposal does not 'fit in' with the character of the existing streetscape.  | The proposed design outcome differs from the existing detached dwellings. However, the design references local dwelling characteristics. Subject to appropriate landscaping, the dwellings are considered to be an appropriate response to the streetscape.   |  |  |
| Overdevelopment   |   |  |  |
| Each dwelling will only be 200sqm in floor area   | Minimum/maximum dwelling floor areas is not a consideration of Clause 55 (ResCode). The proposal complies with each of the applicable standards of this clause, thus not pointing towards an overdevelopment.   |  |  |
| The site is too small to accommodate four dwellings.  Neighbourhood Character   | There are no density requirements set out in the Scheme. Rather, medium density housing proposals are considered against Clause 55 (ResCode). The assessment against this clause demonstrated that the site can comfortably accommodate four dwellings.   |  |  |
| The proposed materials are cheap The proposed materials are typical of new housing  |   |  |  |
| The proposed materials are offeap   | The proposed materials are typical of flew floasing   |  |  |



|  | developments, being brickwork, rendered  |  |  |
|--|--|--|--|
|  | cladding, powder-coated aluminium windows and                                      |  |  |
|  | tiled roofing. This is supported.  |  |  |
| The design is unattractive                         | Whilst design considerations are subjective, the                                   |  |  |
|  | proposed dwellings reflect the architectural                                       |  |  |
|  | qualities of the modest traditional housing stock                                  |  |  |
|  | within the surrounding area. A more contemporary                                   |  |  |
|  | design could be considered out of character.                                       |  |  |
| The area still retains a country feel              | This is true of parts of Beaconsfield. However, this                               |  |  |
|  | is a more suburban area where the Scheme is  |  |  |
|  | seeking more housing and housing diversity. The                                    |  |  |
|  | Scheme encourages additional and diverse   |  |  |
|  | housing options within existing built up areas,                                    |  |  |
|  | resulting in less pressure to develop within areas                                 |  |  |
|  | where lower densities and a rural character are                                    |  |  |
|  | preferred. The proposed dwelling development is                                    |  |  |
|  | ideally located, being central to the Beaconsfield                                 |  |  |
|  | township, with a design which reflects the   |  |  |
|  | architectural qualities of the modest traditional                                  |  |  |
|  | housing stock within the surrounding area.   |  |  |
| Poor amenity outcome for the area                  | The proposal does not appear to propose any  |  |  |
|  | unreasonable amenity impacts, with no excessive                                    |  |  |
|  | mechanical equipment or other noise sources  |  |  |
|  | proposed.  |  |  |
| There are too many units already within this area. | Housing provision in this part of Beaconsfield is                                  |  |  |
|  | still dominated by detached dwellings on single                                    |  |  |
|  | allotments. The proposed multi-dwelling  |  |  |
|  | development will contribute towards much needed                                    |  |  |
|  | housing diversity within this established township.                                |  |  |
| <u>Infrastructure</u>                              |  |  |  |
| There is a sewerage easement where the             | It is generally acceptable to build garages over                                   |  |  |
| proposed Dwelling 4 garage is located.             | easements, as they are not habitable rooms. This                                   |  |  |
|  | would be subject to a 'Build Over Easement'  |  |  |
|  | consent, issued by Council's Engineering   |  |  |
|  | Department. Any changes required to this garage                                    |  |  |
|  | will likely result in an amendment to a carport,                                   |  |  |
|  | which could be considered as a future amendment                                    |  |  |
| Old Dringes Highway is not designed to take as     | to any permit issued.  |  |  |
| Old Princes Highway is not designed to take so     | Although a VicRoads controlled road, Councils                                      |  |  |
| much traffic flow.                                 | Traffic Engineers are not aware of any advice                                      |  |  |
|  | provided by this authority relating to Old Princes Highway being at full capacity. |  |  |
|  | nignway being at run capacity.   |  |  |

## CONCLUSION

Having regard to the above, it is considered that the proposal is consistent with the Cardinia Planning Scheme. It is recommended that a Notice of Decision to Grant Planning Permit **T190008** be issued for the development of four (4) **dwellings and associated works** at **10 Stella Street, Beaconsfield VIC 3807** subject to the following conditions:

# **CONDITIONS**

## Plans Required

1. Prior to the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn



to scale and fully dimensioned. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- a. Garage 1 setback one (1) metre from the south west boundary, as to comply with Clause 55 ResCode, Standard B20 North-Facing Windows. This increased setback must not result in a reduction in the front or side setbacks. Any necessary internal modifications may be undertaken as required.
- Prior to the commencement of the development, a landscape plan prepared by a person suitably qualified and experienced in landscape design. The plan must be drawn to scale with dimensions and show the following:
  - a. Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
  - b. Details of surface finishes of pathways and driveways.
  - c. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - d. Landscaping and planting within all open areas of the subject land.

All species selected must be to the satisfaction of the Responsible Authority.

3. Prior to the development commencing, drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.

# **Actions Prior to Occupation**

- 4. The development must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:
  - a. The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
  - b. Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the relevant authority outside the boundaries of the subject land.
  - c. A bin storage area must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood.
  - d. A mail box must be provided to the satisfaction of the Responsible Authority and Australia Post.
  - e. A clothesline must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood.
  - f. Lighting must be provided near the front entrance of each dwelling.
  - g. The landscaping works shown on the endorsed plans must be carried out and completed.
  - h. Concrete vehicle crossing as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
  - i. Any redundant existing vehicle crossing must be removed and the nature strip and kerb and channel reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.



j. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.

#### General

- 5. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 6. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 7. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.

# **Amenity Impacts**

- 8. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
- 9. The development must not detrimentally affect the amenity of the area, including works associated with construction, through the:
  - a. Transport of materials, goods or commodities to or from the land.
  - b. Appearance of any building, works or materials.
  - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
  - d. Presence of vermin.
  - e. Hours of construction activity.

# **Engineering Conditions**

- 10. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
- 11. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
- 12. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.

# **Permit Expiry**

This permit for development will expire if:

- a) The development is not started within two (2) years of the date of this permit.
- b) The development is not completed within four (4) years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act* 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.



#### Notes:

- (i) As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.
- (ii) A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.
- (iii) A Building Permit is required for any structure proposed over an easement or fence within close proximity to a street corner.
- (iv) Consent may be required from the relevant authority prior to constructing any buildings or undertaking any works on or within 1 metre of the easement.



Attachment 1 - Locality Map















