

5.1 NO. 4 (LOT: 1; S/P: 24447) PRIMROSE STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO GROUPED DWELLING

Ward: South

Attachments:

1. Consultation and Location Map
2. Development Plans
3. Applicant Justification
4. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for and Alterations and Additions to Grouped Dwelling at No. 4 (Lot: 1; S/P: 24447) Primrose Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. Development Plans

This approval is for Alterations and Additions to a Grouped Dwelling as shown on the approved plans dated 29 March 2023 and 21 April 2023. No other development forms part of this approval;

2. External Fixtures

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive, to the satisfaction of the City;

3. Colour and Materials

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City;

4. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

5. Landscaping

5.1 Prior to use of the approved development, all landscaping works shall be undertaken in accordance with the approved plans dated 29 March 2023 and 21 April 2023, to the satisfaction of the City;

5.2 Prior to use of the approved terraces, the planter boxes shall be installed to the satisfaction of the City. The terrace planter boxes shall not be removed unless further approval of the City is obtained; and

5.3 The landscaping installed to the planter boxes to the eastern edge of Terrace 1 shall be to a minimum height of 1.6 metres above the finished floor level to ensure compliance with the visual privacy requirements of the Residential Design Codes and thereafter maintained, to the satisfaction of the City; and

6. Visual Privacy

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and are to comply in all respects with the visual privacy requirements of the Residential Design Codes, to the satisfaction of the City.

EXECUTIVE SUMMARY:

The purpose of this report is to consider an application for development approval for alterations and additions to an existing three storey grouped dwelling at No. 4 Primrose Street, Perth (the subject site) that is located within a two storey building height area.

The proposal would involve demolishing portions of the existing dwelling to make provision for a new first floor terrace, first floor study, second storey loft and a lift. The predominant building layout would remain the same and the overall building height would not increase from existing.

The proposal seeks a design principle assessment against planning elements relating to street setback, lot boundary setback, outdoor living areas and visual privacy. Noting that the existing dwelling is three storeys in height, it also seeks a design principle assessment for building height because the site is within a two storey building height area and works are proposed to the third storey.

The proposal has been designed to be consistent with the established streetscape, to reduce amenity impacts to adjoining properties, as well as to enhance the liveability of the dwelling for its occupants. The proposal satisfies the relevant design principles and local housing objectives through the design approach and it is recommended the application be approved.

PROPOSAL:

The application proposes alterations and additions to an existing three storey grouped dwelling at No. 4 Primrose Street, Perth. This dwelling is located on one (Lot 1) of two strata lots on the parent property and is the southern strata lot.

The proposed demolition works predominantly relate to removal of roofing around the perimeter of the dwelling on the ground floor, as well as the removal of a portion of wall to the rear of the dwelling.

The proposed additions include the internal renovation of the bathroom on the first floor, the addition of a lift that runs from the ground floor to second floor, the addition of a study and rooftop terrace on the first floor and the addition of a loft and lift landing area to the second floor.

The application does not propose any further modifications to the front façade of the existing development or to the existing vehicle access and parking arrangements, apart from the proposed first floor terrace, modification to windows and additional tree planting.

The proposed development plans and perspectives are included as **Attachment 2** and applicant justification is included as **Attachment 3**.

BACKGROUND:

Landowner:	John Graeme Webb & Nicholas Charles Bursey
Applicant:	Chindarsi Architects
Client:	John Graeme Webb & Nicholas Charles Bursey
Date of Application:	5 October 2022
Zoning:	MRS: Urban LPS2: Zone: Residential R Code: R50
Built Form Area:	Residential
Existing Land Use:	Grouped Dwelling
Proposed Use Class:	Grouped Dwelling – 'P'
Parent Lot Area:	406.7m ²
Survey Stata Lot Area:	191m ²
Right of Way (ROW):	No
Heritage List:	No

Site Context and Zoning

The subject site is bound by Primrose Street to the south and homes to the north, east and west that range from one to three storeys in height. A location plan is provided as **Attachment 1**.

The subject site and all surrounding and adjoining properties are zoned Residential R50 under the City's Local Planning Scheme No. 2 (LPS2). The subject site and adjoining properties are located within the Residential Built Form Area with a building height standard of two storeys under the City's Policy No. 7.1.1 – Built Form (Built Form Policy).

Primrose Street is characterised by contemporary style single house and grouped dwelling developments that are predominately two to three storeys in height. Three-storey elements are common and visible from the street within the immediate Primrose Street and adjoining Lake Street streetscapes. The streetscape of Primrose Street is predominantly characterised by garage doors and predominantly blank street walls with minimal front setbacks at ground level, and upper floor balconies with minimal front setbacks.

The existing dwelling is located on the southern strata lot of the parent property, is three storeys in height and was constructed in the early 1990s.

DETAILS:**Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Local Planning Scheme No. 2 (LPS2), the City's Policy No. 7.1.1 – Built Form and the State Government's Residential Design Codes (R Codes). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Deemed-to-Comply	Requires the Discretion of Council
Street Setback		✓
Front Fence	✓	
Lot Boundary Setbacks		✓
Lot Boundary Walls	✓	
Building Height/Storeys		✓
Open Space	✓	
Outdoor Living Areas		✓
Landscaping (R Codes)	✓	
Visual Privacy		✓
Vehicle Parking & Access	✓	
Solar Access	✓	
Site Works/Retaining Walls	✓	
Essential Facilities	✓	
External Fixtures	✓	
Surveillance	✓	

Detailed Assessment

The R Codes and Built Form Policy have two pathways for assessing and determining a development application. These are through design principles and local housing objectives, or through deemed-to-comply standards.

Design principles and local housing objectives are qualitative measures which describe the outcome that is sought rather than the way that it can be achieved.

The deemed-to-comply standards are one way of satisfactorily meeting the design principles or local housing objectives and are often quantitative measures.

If a planning element of an application meets the applicable deemed-to-comply standard/s then it is satisfactory and not subject to Council's discretion for the purposes of assessment against the Built Form Policy and R Codes.

If a planning element of an application does not meet the applicable deemed-to-comply standard/s then Council's discretion is required to decide whether this element meets the design principles and local housing objectives.

The planning elements of the application that do not meet the applicable deemed-to-comply standards and require the discretion of Council are as follows:

Street Setback	
Deemed-to-Comply Standard	Proposal
Built Form Policy Volume 1 Clause 5.1 – Street Setback Balconies shall be setback 1.0 metre behind the ground floor building line	Terrace 1 extends 5.4 metres in front of ground floor building line
Lot Boundary Setbacks	
Deemed-to-Comply Standard	Proposal
Built Form Policy Volume 1 Clause 5.2 - Lot Boundary Setback <u>Western lot boundary:</u> First Floor Terrace 1 – Terrace 2: 1.7 metres	<u>Western lot boundary:</u> First Floor Terrace 1 – Terrace 2: 1.0 metres
Building Height	
Deemed-to-Comply Standard	Proposal
Built Form Policy Volume 1 Clause 5.6 – Building Height Permitted storeys: Two Permitted building height to top of wall: 7 metres	Proposed storeys: Three Proposed top of wall height: 8.1 metres
Outdoor Living Areas	
Deemed-to-Comply Standard	Proposal
R Codes Volume 1 Clause 5.3.1 – Outdoor Living Areas Minimum dimension: 4 metres	Minimum dimension: 2.7 metres
Visual Privacy	
Deemed-to-Comply Standard	Proposal
R Codes Volume 1 Clause 5.4.1 – Visual Privacy Raised unenclosed outdoor habitable spaces (balconies/terraces) require a 7.5 metre cone-of-vision setback from lot boundaries Bedrooms require a 4.5 metre cone-of-vision setback from lot boundaries	First floor terrace provides a cone-of-vision setback of 3.8 metres to the eastern lot boundary. Modified Bed 4 window provides a 3.1 metre cone of vision setback to the eastern lot boundary

The above planning elements of the proposal have been assessed against the applicable design principles and local housing objectives in the Comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 14 days between 25 November 2022 and 8 December 2022. The method of consultation included a notice on the City's website and eight letters being sent to the adjoining and adjacent landowners and occupiers, as shown in **Attachment 1** in accordance with the City's Community and Stakeholder Engagement Policy.

One submission was received at the conclusion of the advertising period, this submission was in support of the proposal and provided no comment.

It was identified later that a planning element of the application requiring discretion was not included in the first community consultation period. This element related to proposed alterations to the existing third storey of the dwelling. In accordance with the City's Community and Stakeholder Engagement Policy, development that proposes a building height of three storeys or more triggers a broader extent of consultation. To provide opportunity for community members to make comment, a second round of consultation was undertaken for a period of 14 days between 25 March 2023 and 5 April 2023. The method of consultation included a notice on the City's website and 147 letters being sent to all of landowners and occupiers within a 100 metre radius of the proposed development, as shown in **Attachment 1** in accordance with the City's Community and Stakeholder Engagement Policy.

Two submissions were received at the conclusion of the advertising period. One of these submissions was a previous submitter reaffirming their support for the proposal and the second submission was an additional submission in support of the proposal. Both submissions provided no further comment.

Amended Plans

The applicant prepared amended plans to respond to the comments provided from the Design Review Panel (DRP) and the City. Amended plans were submitted on 29 March 2023. Details of the modifications in the amended plans are included in the Design Review Panel section below.

The amended plans did not require further community consultation. This is because the amended plans did not propose new or greater departures to the deemed-to-comply standards, the amended plans did not result in any significant changes to the previously advertised proposal, and the proposal did not receive opposition during the advertising period. This is as per the City's Community & Stakeholder Engagement Policy.

Design Review Panel:

Referred to DRP: Yes

The proposal was referred to the City's DRP Chairperson for comment on two occasions. These referrals requested comment on how the development would present to the adjoining dwellings and the existing streetscape.

Development Plans as Originally Submitted

The DRP Chairperson noted the following positive aspects of the proposal:

- Considering the existing three storey house on the east side the additional height at the rear does not generate significant additional impact on the neighbouring properties.
- The first floor terrace in a front setback is not something that would normally be supported however in considering the laneway context and other surrounding houses with similar setbacks, it does generate some additional passive surveillance of the laneway.
- The proposal generates virtually no overshadowing of adjoining properties.
- The internal planning is very compact and efficient but functional.
- Adding a lift supports ageing in place.
- The proposal is adding solar panels on the roof and EV charging.
- The rear addition differentiates itself from the existing house through its materiality which is supported.
- The proposal retains all existing trees on the site.

The DRP Chairperson noted the following areas for further improvement:

- Consider improving the interactivity of the front laneway interface condition which is currently dominated by high walls and garage roller doors. The existing pedestrian entry to the laneway is recessed and not particularly legible.
- Visual privacy to the east and west needs to be resolved/compliant by introducing screening to protect the future amenity of the adjoining property to the east.
- The proposal needs to focus on the western side setback variation. The walkway around the west side of the property accentuates this issue.
- The proposed Terrace 1 currently presents negative amenity impacts on the adjoining properties in terms of its bulk and scale as well as overlooking and noise/acoustics.
- The rear ground level north facing sliding doors don't have a passive shading device which would also provide a level of weather protection to this opening.

Amended Plans (dated 29 March 2023)

In response to the 23 March 2023 DRP Chairperson comments, the applicant made the following changes to the proposal:

- 1.6 metres privacy screening was extended along the entire western boundary of the terrace to reduce all overlooking.
- Garden beds have been introduced below and cables introduced for vines to be planted at the ground level. It is proposed that the vines will grow up and into the privacy screen.
- Composite timber battens to be affixed to a section of wall adjacent to the privacy screen for design articulation.
- Two additional Native Frangipani trees (*Hymenosporum Flavum*) are to be planted along the western boundary to add softening to this interface.

DRP comment regarding the shading of the north facing sliding doors to the study was forwarded to the applicant and landowner for consideration. No further changes to these doors were made. There are existing established and mature trees present at the rear of the site which is likely to provide some tree shading to the study, and is supported by Administration.

The revised development plans dated 29 March 2023 were referred to the DRP Chairperson on 29 March 2023. The DRP Chairperson provided the following comments in respect to these amended plans:

- Legibility – Given the extent of the work on the site the interactivity of the front elevation could be improved. It is acknowledged this is a laneway context and there are several existing properties with solid wall and garage door dominated interfaces however there are also some other properties with more interactive facades at ground level. Many of the pedestrian gates are visually permeable along this laneway. Two solid garage roller doors in high walls with a small recessed solid pedestrian door is not an ideal outcome in terms of interactivity and passive surveillance. This façade could easily incorporate more open visually permeable garage doors or a visually permeable gate rather than a solid door.
- Built Form and Scale – Visual privacy to the east from the terrace is still non-compliant. The justification notes a Frangipani tree which is a deciduous tree and therefore doesn't assist with this during some times of the year. It is acknowledged the terrace may look onto a three storey solid wall however visual privacy also needs to be considered in relation for the potential for adjoining sites to be redeveloped in the future. The recommendation to achieve green in Built Form and Scale is to make overlooking of the east property from the terrace compliant with screening given this is easy to achieve and the terrace can still achieve an outlook to the south over the laneway.

Final Set of Amended Plans (dated 21 April 2023)

In response to the 29 March 2023 DRP Chairperson comments, the applicant proposed the addition of on structure planting along the eastern edge of the terrace.

This final set of revised development plans were referred to the DRP Chairperson on 21 April 2023 for comment.

The Chairperson provided the following comments in respect to the final set of amended plans:

- The inclusion of additional on structure planters provides sufficient screening to the adjoining eastern lot.
- It is noted that the previously provided requests for modifications to the Primrose Street frontage have not been implemented. Due to the ground floor façade (garage and front door) being retained as existing, the applicant has limited opportunity to further improve the legibility of the dwelling. As such, the proposed and existing legibility of the proposed development is supported.

A summary of the DRP progress is shown in the table below.

Design Review Progress				
	<i>Supported</i>			
	<i>Pending further attention</i>			
	<i>Not supported</i>			
	<i>No comment provided / Insufficient information</i>			
	Referral Date:	DRP Member Comments		
		23 March 2023	29 March 2023	21 April 2023
Principle 1 – Context & Character				
Principle 2 – Landscape Quality				
Principle 3 – Built Form and Scale				
Principle 4 – Functionality & Built Quality				
Principle 5 – Sustainability				
Principle 6 – Amenity				
Principle 7 – Legibility				
Principle 8 – Safety				
Principle 9 – Community				
Principle 10 – Aesthetics				

LEGAL/POLICY:

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *City of Vincent Local Planning Scheme No. 2;*
- *State Planning Policy 7.3 – Residential Design Codes;*
- *Community and Stakeholder Engagement Policy; and*
- *Policy No. 7.1.1 – Built Form Policy.*

Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Local Planning Scheme No. 2

The objectives of the Residential zone under LPS2 are a relevant consideration for the application. These objectives are:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community;*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas;*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development;*
- *To promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, water conservation, waste management and recycling;*
- *To enhance the amenity and character of the residential neighbourhood by encouraging the retention of existing housing stock and ensuring new development is compatible within these established areas;*
- *To manage residential development in a way that recognises the needs of innovative design and contemporary lifestyles; and*
- *To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.*

State Planning Policy 7.3 – Residential Design Codes Volume 1

On 23 February 2023, the State Government publicly released amendments to Volume 1 of the R Codes. The amendments split the R Codes into Part B – Low Density and Part C – Medium Density.

Part C – Medium Density will apply to grouped dwellings in areas coded R30 and above, such as the subject site.

A transitional period applies and the 2023 R Codes will be gazetted and come into operation on 1 September 2023.

During this transitional period, assessment is to be undertaken against the existing R Codes. Where deemed-to-comply provisions are not met, the assessment is required to be undertaken primarily against the design principles of the existing R Codes, with due regard given to relevant design principles of Part C – Medium Density also.

The design principles in Part C – Medium Density are generally consistent with the existing R Codes design principles that apply in the assessment of this application.

Delegation to Determine Applications:

This matter is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments.

This is because the delegation does not extend to proposals where the development proposes a height of three storeys or more and does not meet the applicable Building Height deemed-to-comply standard.

The application proposes additions to the third storey of an existing three storey dwelling, in a two storey building height area. The third storey addition would exceed the deemed-to-comply building height standard by 1.1 metres.

RISK MANAGEMENT IMPLICATIONS:

There are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

The City has assessed the application against the environmentally sustainable design provisions of the City's Policy No. 7.1.1 – Built Form. These provisions are informed by the key sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, which requires new developments to demonstrate best practice in respect to reductions in energy, water and waste and improving urban greening.

The applicant has provided information about the environmental sustainability performance of the development which includes the following:

- Installation of 10 solar panels on roof of the existing dwelling;
- Addition of two new native frangipanis, in addition to the seven existing trees located throughout the subject site. The proposal also includes two new small garden beds on the ground floor and several planters along the proposed terrace.
- Shale grey colour metal roof sheeting with a solar absorption rating 0.44, consistent with the standards of the Built Form Policy.
- The proposed addition is orientated to the north and provides for 57.7 percent open space for the site, minimising the extent of the building footprint.
- All existing habitable rooms have access to at least one openable window to allow for natural ventilation.

PUBLIC HEALTH IMPLICATIONS:

This report has no implication on the priority health outcomes of the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial or budget implications from this report.

COMMENTS:Summary Assessment

In assessing the application against the planning framework, it is recommended for approval. The following key comments are of relevance:

- The scale and form of the proposal is consistent with the context of the surrounding and adjoining properties. The proposal would contribute to the street and positively responds to the amenity of the adjoining properties, with the introduction of a terrace overlooking the street and consistent with the prevailing streetscape character of upper floor balconies with minimal front setbacks.
- The proposed development has been sensitively designed for its setting and would not adversely impact the amenity of the adjoining properties. This includes shadow cast being less than the deemed-to-comply standard for solar access to adjoining properties.
- The proposed development has been designed to respond to the eastern adjoining property by incorporating a landscape planter to the eastern side of the terrace. Though the terrace currently faces a three storey blank wall of the existing eastern adjoining property, adequate setback and the provision of the landscape planter would protect the amenity and privacy for future redevelopment of this adjoining eastern property.
- The proposed development would not adversely impact the amenity of the western adjoining property, as the development meets the visual privacy deemed-to-comply standards and incorporates articulation, a variation in colours and materials and further landscaping.
- The proposed alterations and additions provide further articulation, and a variation in colours and materials to the existing dwelling which results in enhanced living spaces for occupants, positive upgrades to the streetscape presence as well as an enhanced landscape outcome.
- The proposed development would provide a suitable landscaping outcome (both existing and proposed) that would assist in reducing the impact of the development on the surrounding properties and the streetscape.

Street Setback

In accordance with the Built Form Policy, the deemed-to-comply balcony setback is 1.0 metre behind the ground floor predominant building line.

The proposed Terrace 1 provides a nil setback from Primrose Street. The remainder of the existing house is set back 5.4 metres from Primrose Street.

The proposed primary street setbacks would satisfy the [Design Principles](#) of the R-Codes and [Local Housing Objectives](#) of the Built Form Policy for the following reasons:

- Consistency with Streetscape: The proposed Terrace 1 setback would be consistent with the setbacks of the established streetscape. This is because there are developments on Primrose Street that provide structures including balconies that have reduced or nil setbacks to the street boundary. The unenclosed terrace would not provide a building mass that is consistent with the established street and is providing an enhanced outcome to the street through increased surveillance and design quality.
- Reducing Building Bulk: The visual bulk, mass and form of the building to the street has been broken up through variations in setbacks, heights, materials and colours facing the street. The design of Terrace 1 does not include a roof and incorporates open-style balustrading on top of a curved based would provide articulation and interest to the street, while reducing solid blank walls and associated building bulk impacts. The proposed balcony would also replace an existing pitched roof structure which would largely reduce the existing visual bulk and mass to Primrose Street and overall enhance the streetscape outcome.

- Enhanced Surveillance: The existing site conditions provide minimal street surveillance to Primrose Street due to the setback of the existing upper floor. The introduction of Terrace 1 would facilitate increased street surveillance between the dwelling and street.
- Landscaping of Primary Street Setback: Landscaping has been proposed to increase amenity and to reduce the visual bulk and scale of the reduced setback proposed to the terrace. This would be achieved by incorporating planter boxes to the terrace to soften the building form when viewed from the street. The setback proposed to the street would also provide for sufficient open space and outdoor living area to the rear of the property.
- DRP Support: The DRP Chairperson supported the street setback associated with the terrace. This is because it would be consistent with the neighbouring properties, established streetscape and the passive surveillance provided to Primrose Street.

Lot Boundary Setbacks

In accordance with the Built Form Policy and R Codes, the deemed-to-comply lot boundary setback is 1.7 metres from the western lot boundary. The proposed terrace provides a 1.0 metre setback from the western lot boundary.

The applicant's justification for the reduced setback of the western elevation of the terrace is included as **Attachment 3**. The lot boundary setbacks would satisfy the [Design Principles](#) of the R Codes and [Local Housing Objectives](#) of the Built Form Policy for the following reasons:

- Reducing Building Bulk: The visual bulk of the western elevation is reduced through design elements that break up areas of solid blank wall, such as:
 - The use of a variety of colours and materials including the use of polished plaster and timber battens to be implemented in conjunction with the existing face brick;
 - Garden beds have been introduced and cables introduced for vines to be planted at ground level to introduce a landscaping treatment to the western façade and assist with softening the development as viewed from the western adjoining property;
 - The addition of two additional native frangipani trees (one frangipani tree is existing) being planted along the western setback to further soften the bulk and scale of the additions to the western adjoining property;
 - Incorporating varying walls setbacks and articulation to the existing house; and
 - The terrace being an open structure.
- Visual Privacy: The proposed lot boundary setbacks would not result in overlooking of the adjoining property, as the terrace has been screened by 1.6 metre high privacy screening.
- Ventilation: The 1.0 metre setback in conjunction with the 0.9 metre setback of the adjoining property would provide 1.9 metres of separation between the dwellings which would allow sufficient space for air flow to allow for cross-ventilation of both the subject site and adjoining property.
- Solar Access: The subject terrace wall is located to the east of the adjoining property and would not result in a reduction in access to direct sunlight. The proposed development would comply with the deemed-to-comply standards of the R Codes relating to solar access for adjoining sites.
- Community Support: The affected adjoining neighbour made a submission of support during both community consultation periods.
- DRP Support: The DRP Chairperson expressed support for the proposed lot boundary setback due to the inclusion of privacy screening, integration of various colours and materials, and the inclusion of additional landscaping along the western façade.

Building Height

The Built Form Policy building height deemed-to-comply standard for the development is two storeys with a top of wall height of 7.0 metres. The application proposes a building height of three storeys with a top of wall height of 8.1 metres.

The proposed building height would satisfy the [Design Principles](#) of the R Codes and the [Local Housing Objectives](#) of the Built Form Policy for the following reasons:

- Existing Dwelling Height: The existing three storey dwelling has a height of 10.0 metres. The proposed addition has a maximum height of 9.6 metres and would not result in any increase to the maximum building height.

- **Streetscape Impact:** The existing dwelling already is three storeys as viewed from Primrose Street. Primrose Street includes examples of numerous existing three storey homes. This includes three storey buildings directly to the east from the subject site and to the south, across Primrose Street. The three storey addition is located to the rear of the dwelling. This would not contribute additional building bulk to the existing streetscape.
- **Roof Height:** The overall building height measured to the pitch of the roof satisfies the deemed-to-comply standards. The pitched roof would have a height 9.6 metres which is below the deemed-to-comply standard of 10 metres.
- **Articulation:** The development incorporates articulation in the form of setbacks, building separation and the use of varying finishes and materials to reduce the impact of the building height on the adjoining properties.
- **Overshadowing:** The proposed development and wall height satisfies the deemed-to-comply standards relating to solar access (overshadowing) in the R Codes.
- **Access to Views:** The proposed height would have a negligible impact on access to views of significance towards the City from the northern adjoining property. This is because the alterations and additions do not propose to widen the building footprint or propose any portions that would increase the height of the existing dwelling.

Outdoor Living Areas

The R Codes outdoor living area (OLA) deemed-to-comply standards sets out that OLA's need a minimum length and width dimension of 4 metres which is directly accessible from primary living space. The application proposes an OLA with a minimum dimension of 2.7 metres that would be accessed from the dining area.

The proposed outdoor living area would satisfy the [Design Principles](#) of the R-Codes for the following reasons:

- **Functional Size and Space:** While a minimum width of 2.7 metre is provided, this increases to a 4 metre by 4 metre area of OLA. The OLA totals 32.6 square metres in lieu of the deemed-to-comply standard under the R Codes of 16 square metres. This OLA is directly accessible from the primary living space of the dwelling. The overall size and configuration of the OLA would provide for a functional and useable outdoor space, including areas for dining and landscaping.
- **Orientation:** The OLA is located to the north of the site meaning that the area has sufficient access to northern light and ventilation and would be open to winter sun.
- **Secondary OLA:** The proposal also seeks approval for the first floor terraces located at the front of the site and to which provide additional OLA spaces.

Visual Privacy

In accordance with the R Codes, the deemed-to-comply visual privacy setback requirement is 7.5 metres from raised unenclosed outdoor habitable spaces and 4.5 metres from bedrooms.

Terrace 1 proposes a 3.8 metre cone of vision setback to the eastern lot boundary in lieu of the 7.5 metre deemed-to-comply standard of the R Codes.

The proposal seeks to modify an existing south-facing window of Bed 4 by increasing its size. Due to the increase in size, a further cone of vision assessment is needed to the eastern boundary. The window proposes a 3.1 metre cone of vision setback to the eastern lot boundary in lieu of the 4.5 metre deemed-to-comply standard of the R Codes.

The proposal would meet the [Design Principles](#) of the R Codes for the following reasons:

- **Overlooking:** The affected eastern adjoining dwelling (No. 257 Lake Street) does not have their primary outdoor living area within the portion that is affected by the overlooking. The affected overlooking area from both Terrace 1 and Bed 4 falls within the 1.0 metre side setback area and to the western façade of the adjoining property, with the Bed 4 window oriented to face the street and perpendicular to the adjoining property. The adjoining dwelling's western façade does not contain any major openings that would result in overlooking of internal habitable spaces from the terrace or Bed 4 window. The adjoining property's western façade adjacent to the proposed terrace and Bed 4 is a blank three storey wall.

- Landscaping: Landscaping planters are proposed to the eastern edge of the terrace. This would provide landscaped screening and a condition of approval is recommended for this to be installed. A large, well-established and mature tree is also present on the eastern lot boundary of the subject site that would provide natural screening to the eastern adjoining dwelling.

**CITY OF VINCENT
LOCAL PLANNING SCHEME NO. 2
SCHEME MAP 1 - LEEDERVILLE**

LEGEND

METROPOLITAN REGION SCHEME RESERVES

Note: The Western Australian Planning Commission care of the Department of Planning should be consulted for full information on the actual land requirements for all Metropolitan Region Scheme Reserves.

- PARKS AND RECREATION**
- R Restricted Public Access
- PRIMARY REGIONAL ROADS RESERVATION**
- OTHER REGIONAL ROADS RESERVATION**
- RAILWAYS**
- PUBLIC PURPOSES**
Particular use denoted as follows:
- H Hospital
- HS High School
- TS Technical School
- CP Car Park
- U University
- CG Commonwealth Government
- SU Special Use
- WSD Water Authority of Western Australia
- P Prison

CITY OF VINCENT LOCAL SCHEME RESERVES

- PUBLIC OPEN SPACE**
- R Restricted
- PUBLIC PURPOSES**
Particular use denoted as follows:
- PS Primary School
- CP Car Park
- CU Civic Uses
- HS High School
- I Institute for the Deaf
- W Water Supply Sewerage and Drainage
- TS Technical School

CITY OF VINCENT SCHEME ZONES

- RESIDENTIAL**
- MIXED USE**
- COMMERCIAL**
- LOCAL CENTRE**
- DISTRICT CENTRE**
- REGIONAL CENTRE**
- SPECIAL USE**
Particular use denoted as follows:
- CP Car Park
- CU Community Use
- FC Function Centre
- HC Hall and Non Residential Club
- H Hotel
- PW Place of Worship
- S Service Station

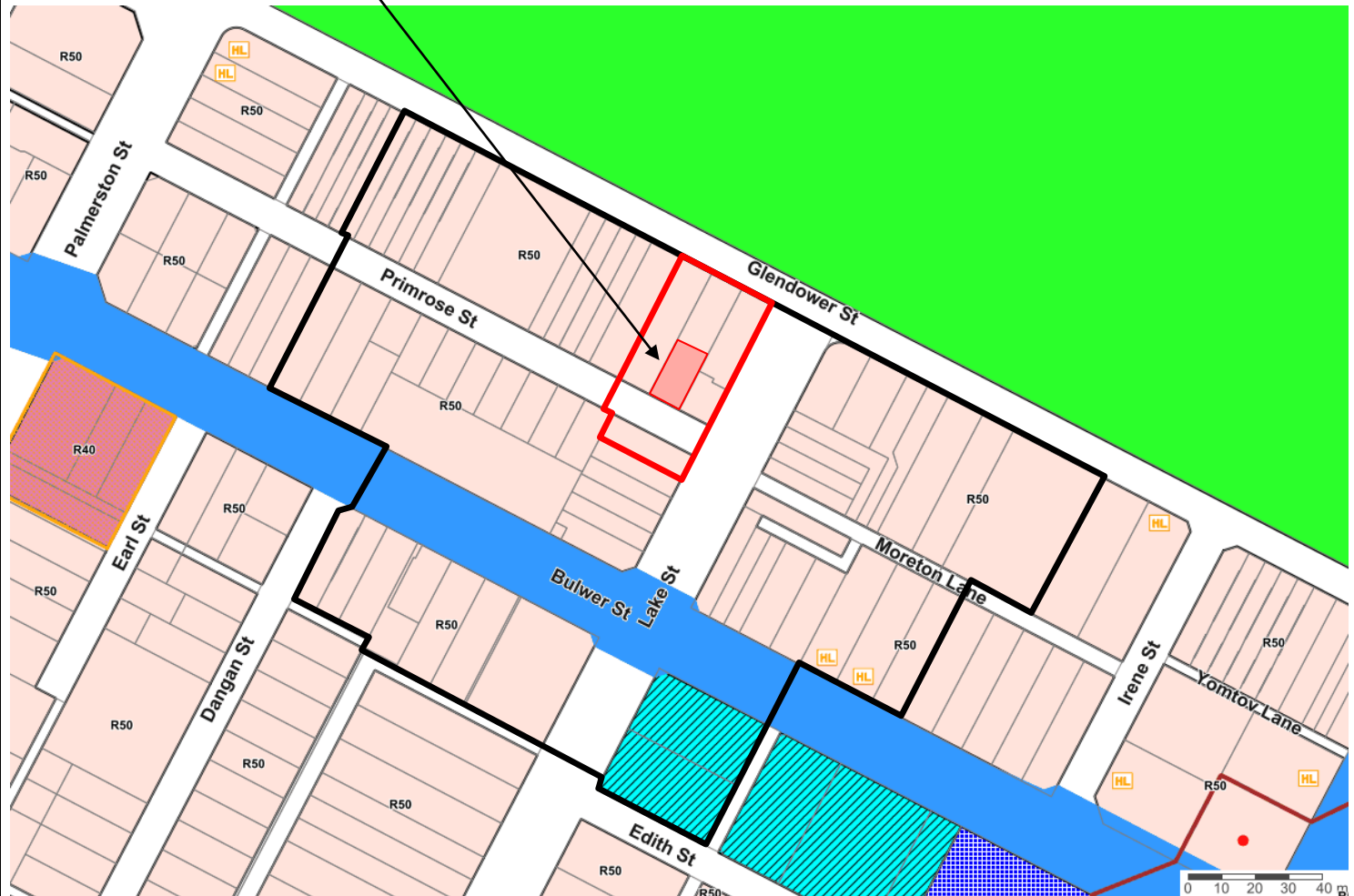
ADDITIONAL USE

- ADDITIONAL USE**

ADDITIONAL INFORMATION & RESIDENTIAL PLANNING CODES

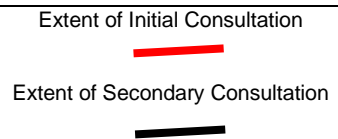
- CODE AREA BOUNDARY**
- SCHEME AREA BOUNDARY**
- DENSITY CODE**

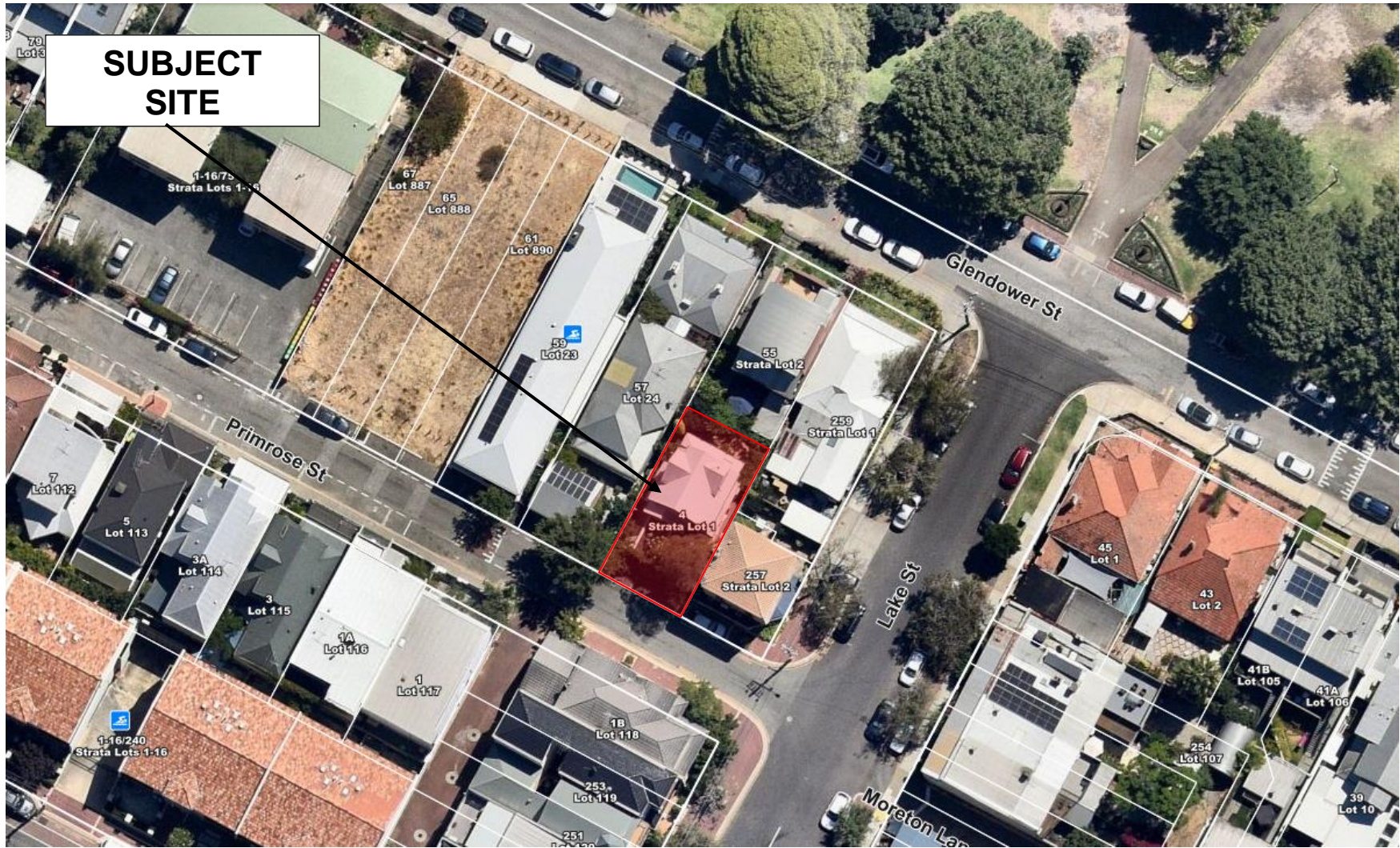
SUBJECT SITE



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Consultation and Location Map
No. 4 Primrose Street, Perth





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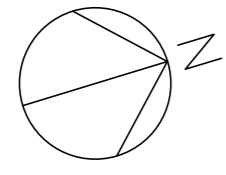
No. 4 Primrose Street, Perth



1



SITE FEATURE SURVEY
SCALE 1:100



**DA
ISSUE**

REVISION	DATE	DESCRIPTION
P5	28/03/23	DEVELOPMENT APPLICATION ISSUE
P4	05/10/22	DEVELOPMENT APPLICATION ISSUE
P3	09/06/22	PRELIMINARY ISSUE
P2	10/01/22	PRELIMINARY ISSUE
P1	15/01/22	PRELIMINARY ISSUE

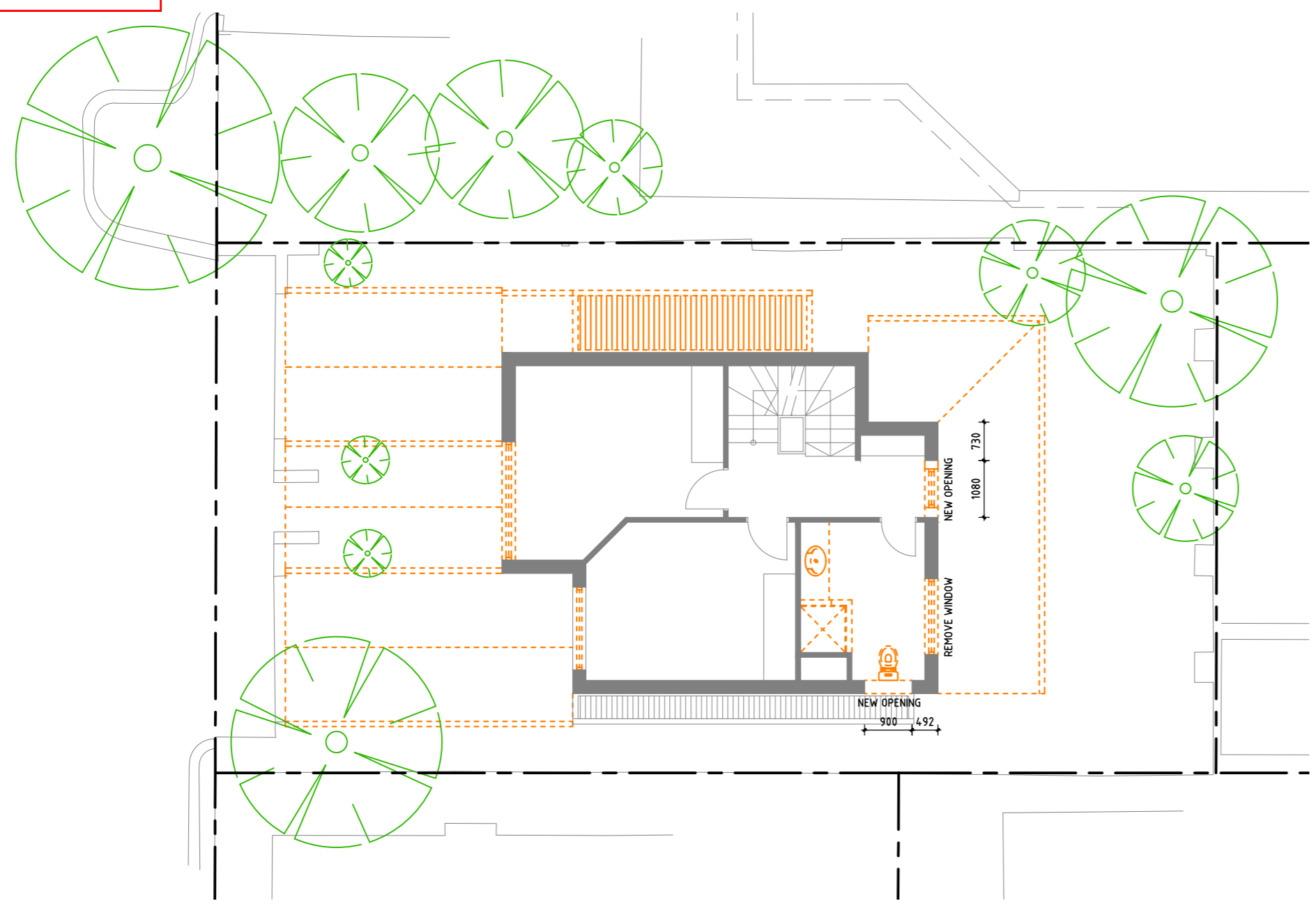
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mobile 0400 829 579

BURSEY RESIDENCE
4 PRIMROSE STREET, PERTH

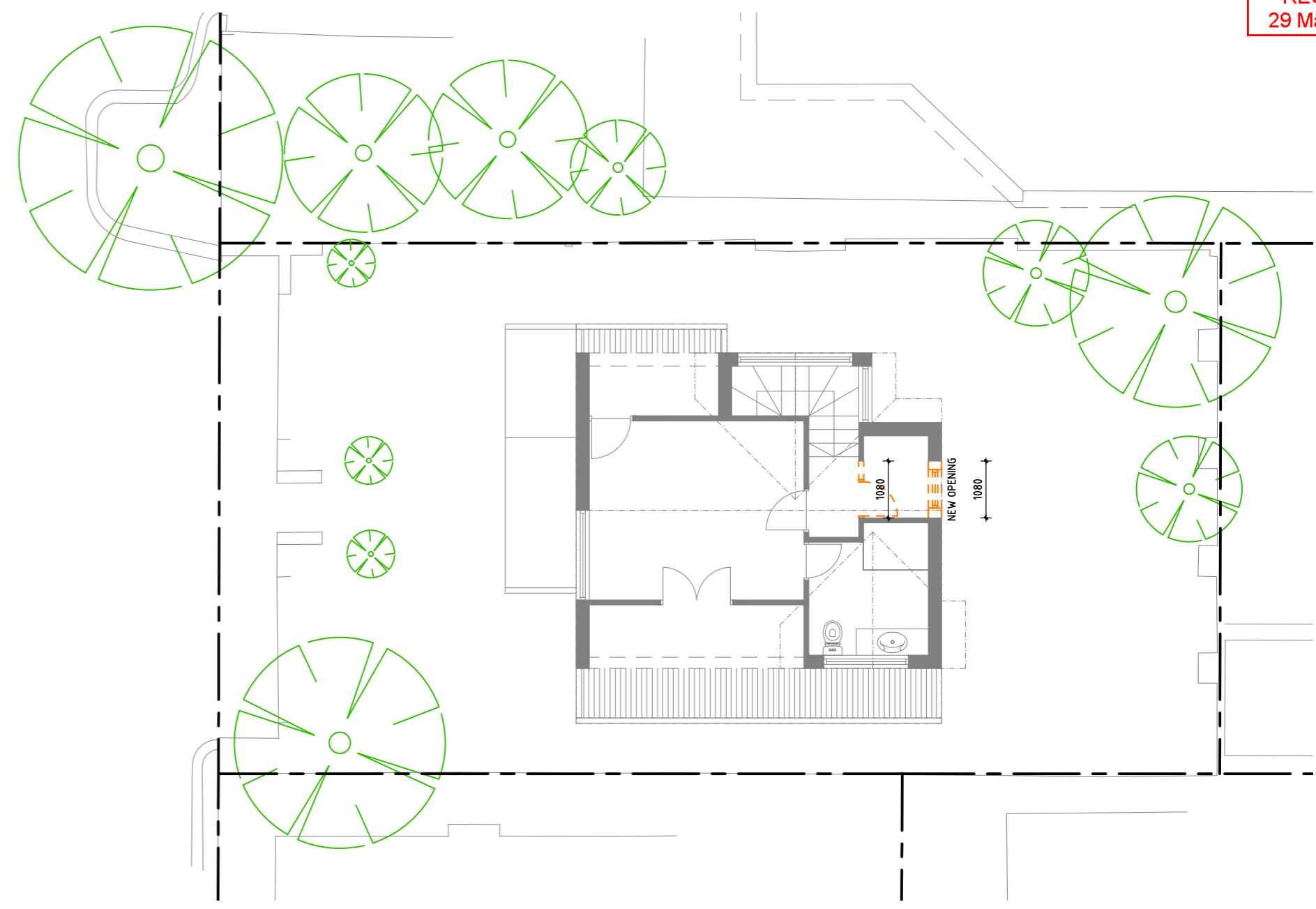
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FEATURE SURVEY**

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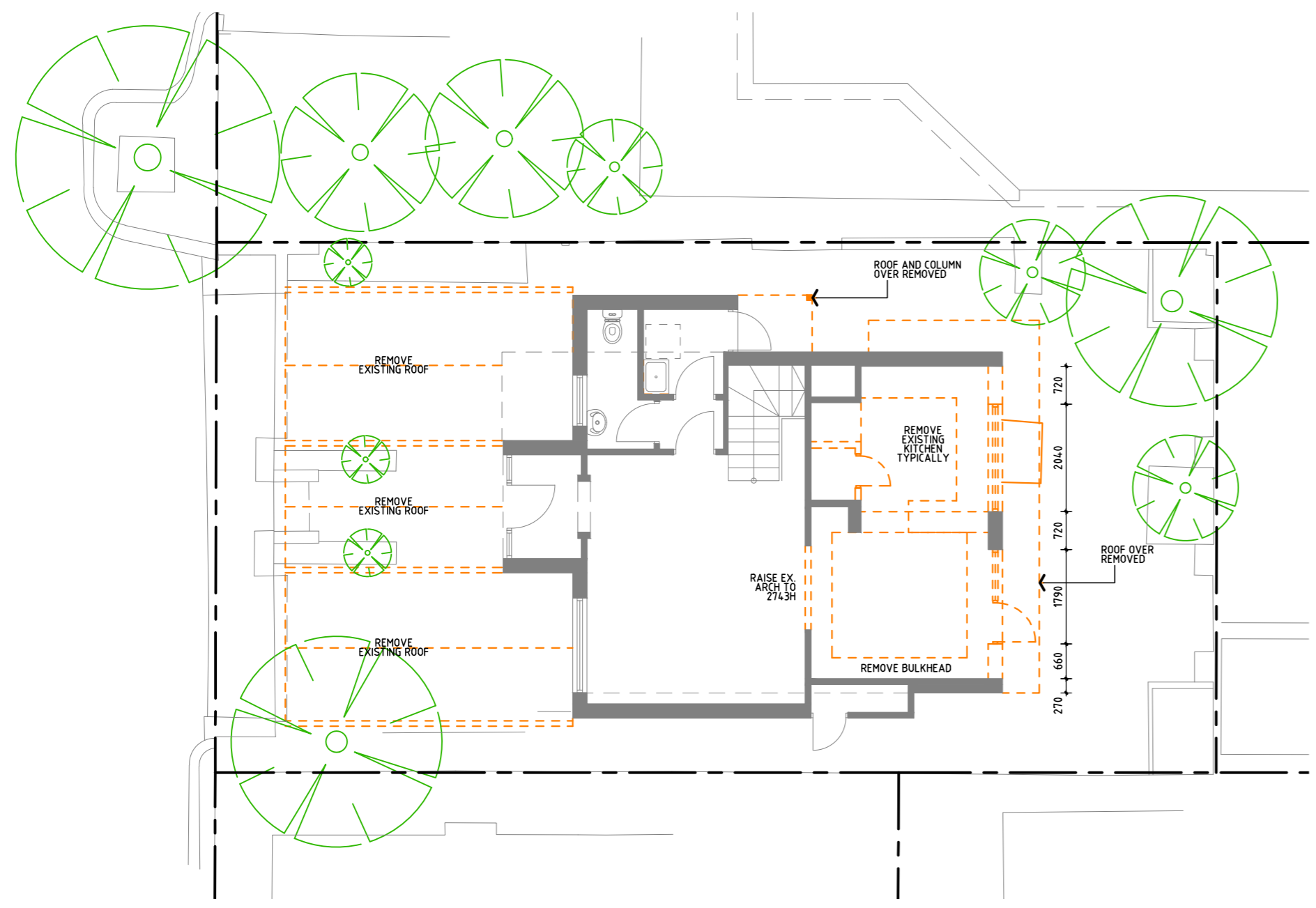
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CHECKED BY: K	APPROVED BY: K	COPYRIGHT 2023 CHINDARSI ARCHITECTS PTY LTD NOT TO BE REPRODUCED WITHOUT THE PERMISSION OF THE AUTHORITY	



FIRST FLOOR DEMOLITION PLAN
SCALE 1:100



SECOND FLOOR DEMOLITION PLAN
SCALE 1:100



GROUND FLOOR DEMOLITION PLAN
SCALE 1:100

**DA
ISSUE**

REVISION	DATE	DESCRIPTION
P6	28/03/23	DEVELOPMENT APPLICATION ISSUE
P5	05/10/22	DEVELOPMENT APPLICATION ISSUE
P4	09/06/22	PRELIMINARY ISSUE
P3	07/02/22	PRELIMINARY ISSUE
P2	10/01/22	PRELIMINARY ISSUE
P1	12/02/22	PRELIMINARY ISSUE

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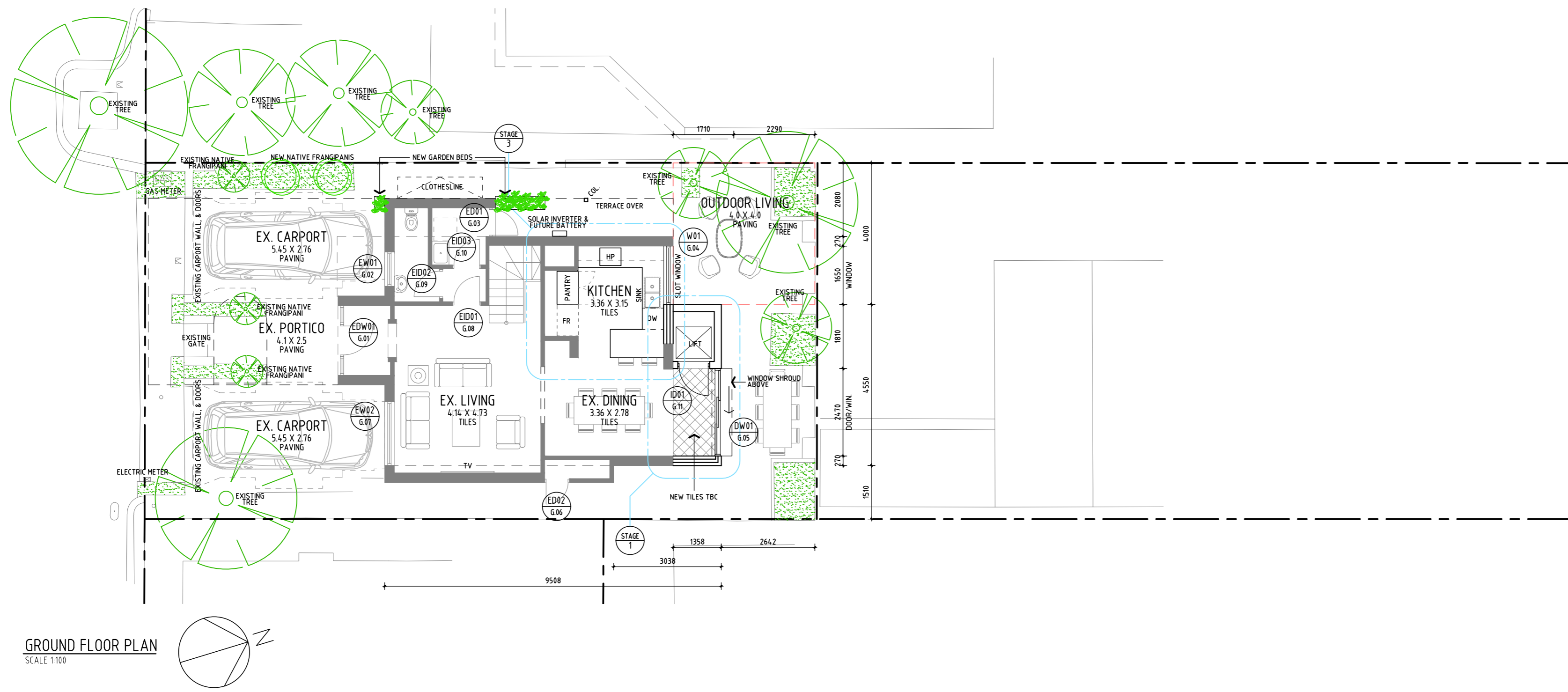
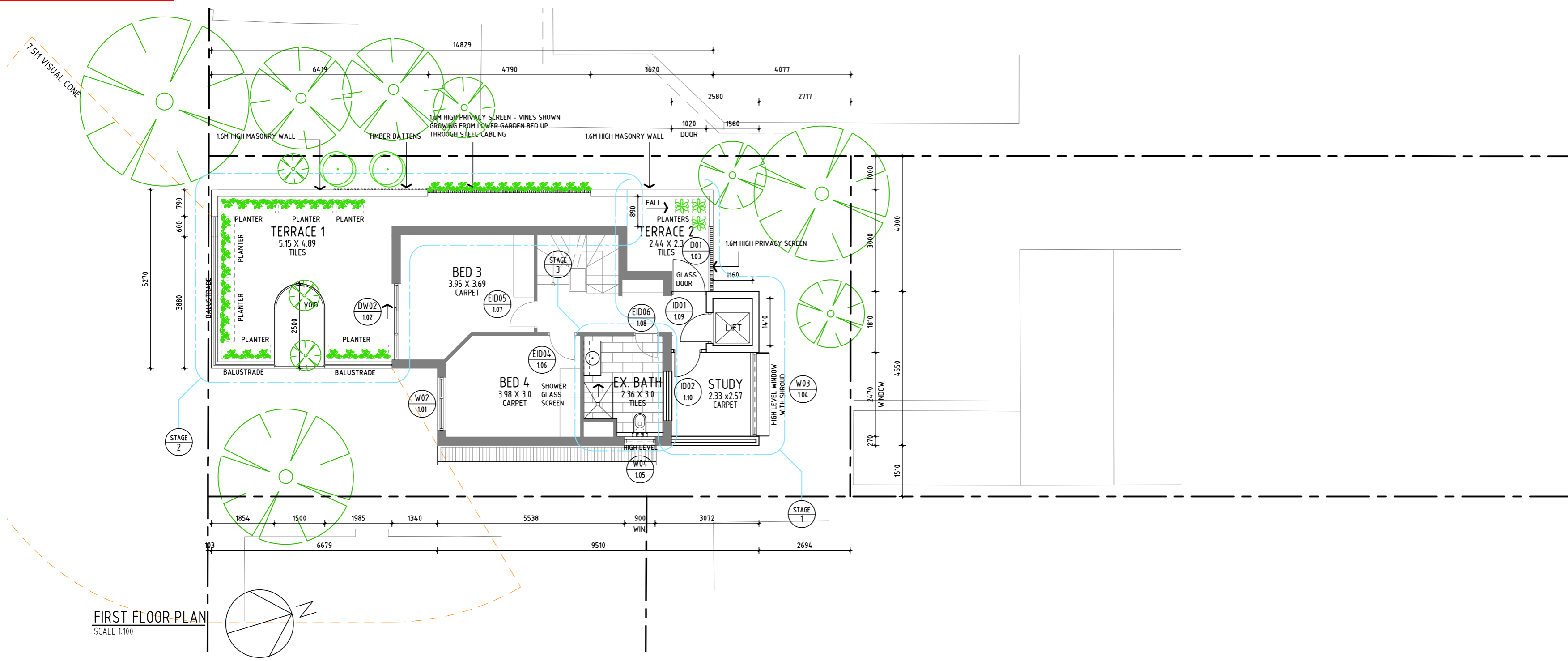
BURSEY RESIDENCE
 4 PRIMROSE STREET, PERTH

**PLANS
DEMOLITION**

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DRAWN BY: BG	DRAWING NO: A-002
CHECKED BY: K	APPROVED BY: K
	CAD FILE: /2023_Plans_Rev
	REVISION: P6

STAGING NOTES

- STAGE 1 - REAR EXTENSION
REAR TERRACE
SOLAR PANELS
- STAGE 2 - FRONT & SIDE BALCONY
- STAGE 3 - RETROFIT EXISTING BATHROOM,
EXISTING KITCHEN,
EXISTING ENSUITE
CAR CHARGING POINT



**DA
ISSUE**

REVISION	DATE	DESCRIPTION
P11	21/04/23	DEVELOPMENT APPLICATION ISSUE
P10	20/03/23	DEVELOPMENT APPLICATION ISSUE
P9	05/10/22	DEVELOPMENT APPLICATION ISSUE
P8	29/09/22	PRELIMINARY ISSUE
P7	01/06/22	PRELIMINARY ISSUE
P6	07/02/22	PRELIMINARY ISSUE
P5	18/01/22	PRELIMINARY ISSUE
P4	13/01/22	PRELIMINARY ISSUE
P3	02/11/2021	PRELIMINARY ISSUE
P2	02/11/2021	PRELIMINARY ISSUE
P1	16/10/2021	PRELIMINARY ISSUE

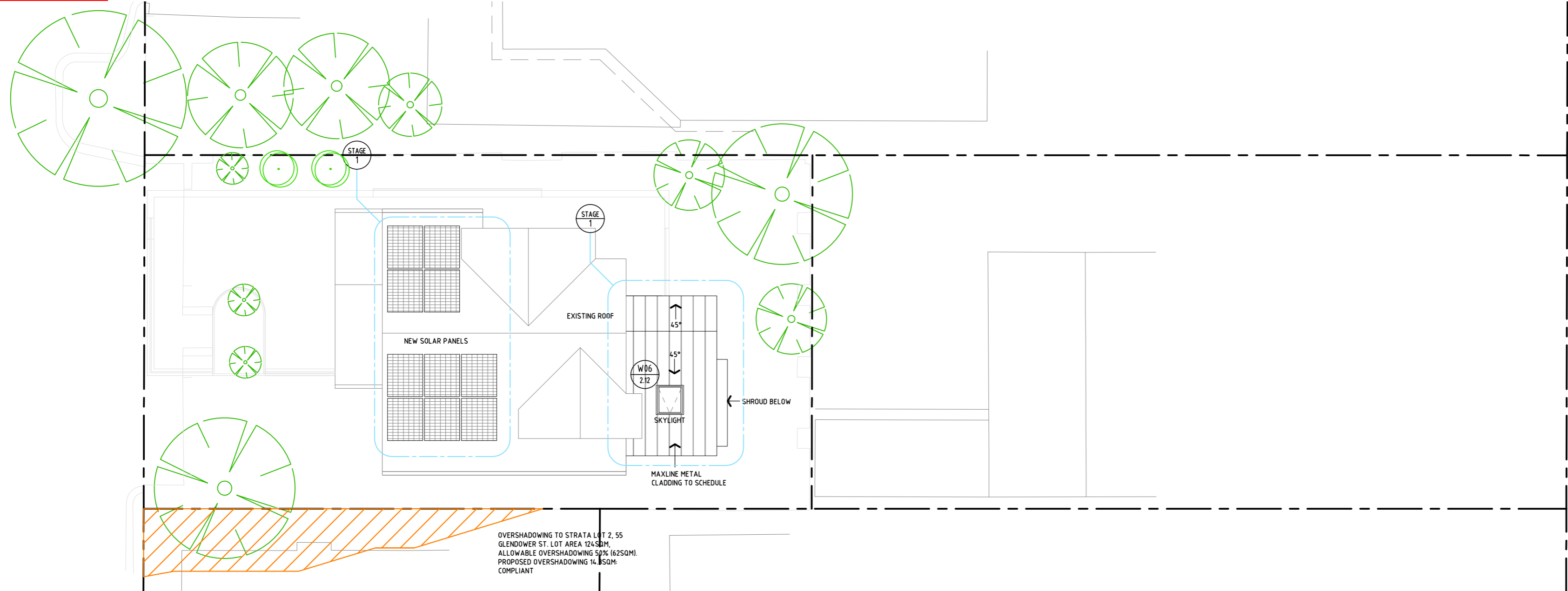
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BURSEY RESIDENCE
4 PRIMROSE STREET, PERTH

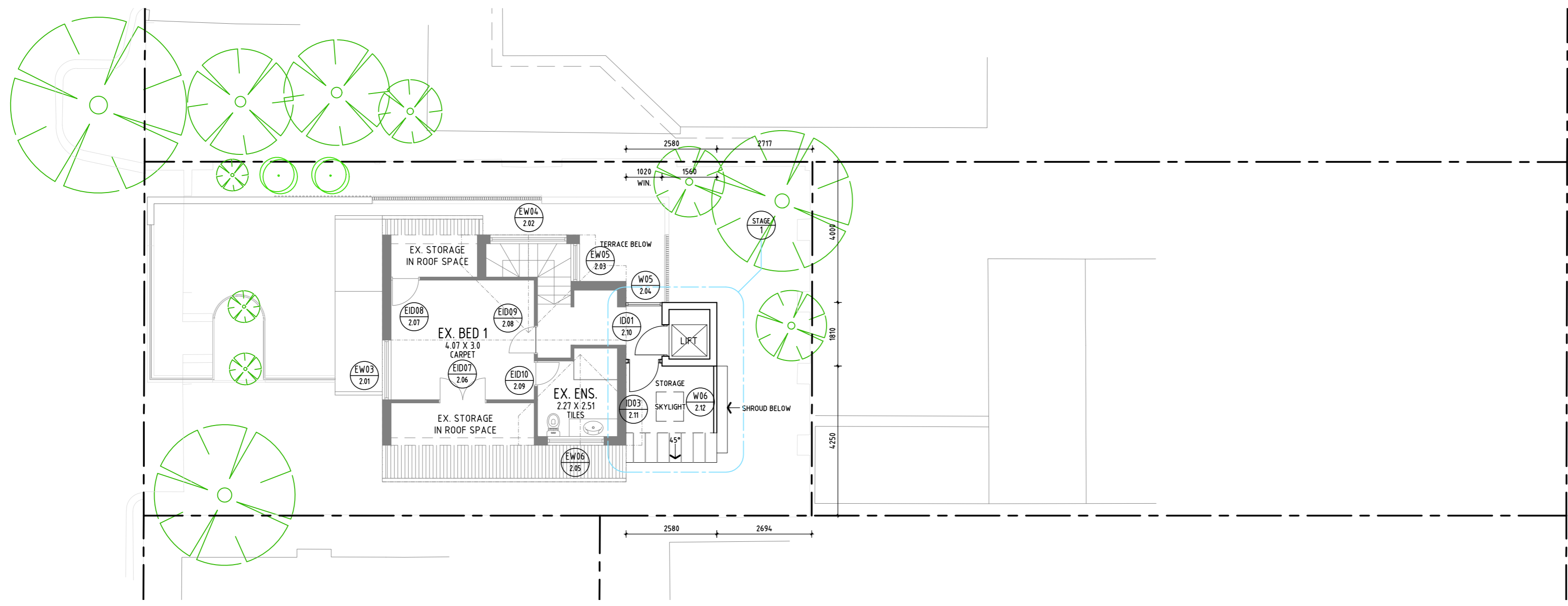
PLANS
PROPOSED GROUND & FIRST FLOOR

SCALE: 1:100 A2	DATE: 21/04/2023	REVISION: P11
DRAWN BY: BG	DRAWING NO: A-101	
CHECKED BY: K	APPROVED BY: K	

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ROOF PLAN
SCALE 1:100



SECOND FLOOR PLAN
SCALE 1:100

STAGING NOTES

- STAGE 1 - REAR EXTENSION
REAR TERRACE
SOLAR PANELS
- STAGE 2 - FRONT & SIDE BALCONY
- STAGE 3 - RETROFIT EXISTING BATHROOM,
EXISTING KITCHEN,
EXISTING ENSUITE
CAR CHARGING POINT

**DA
ISSUE**

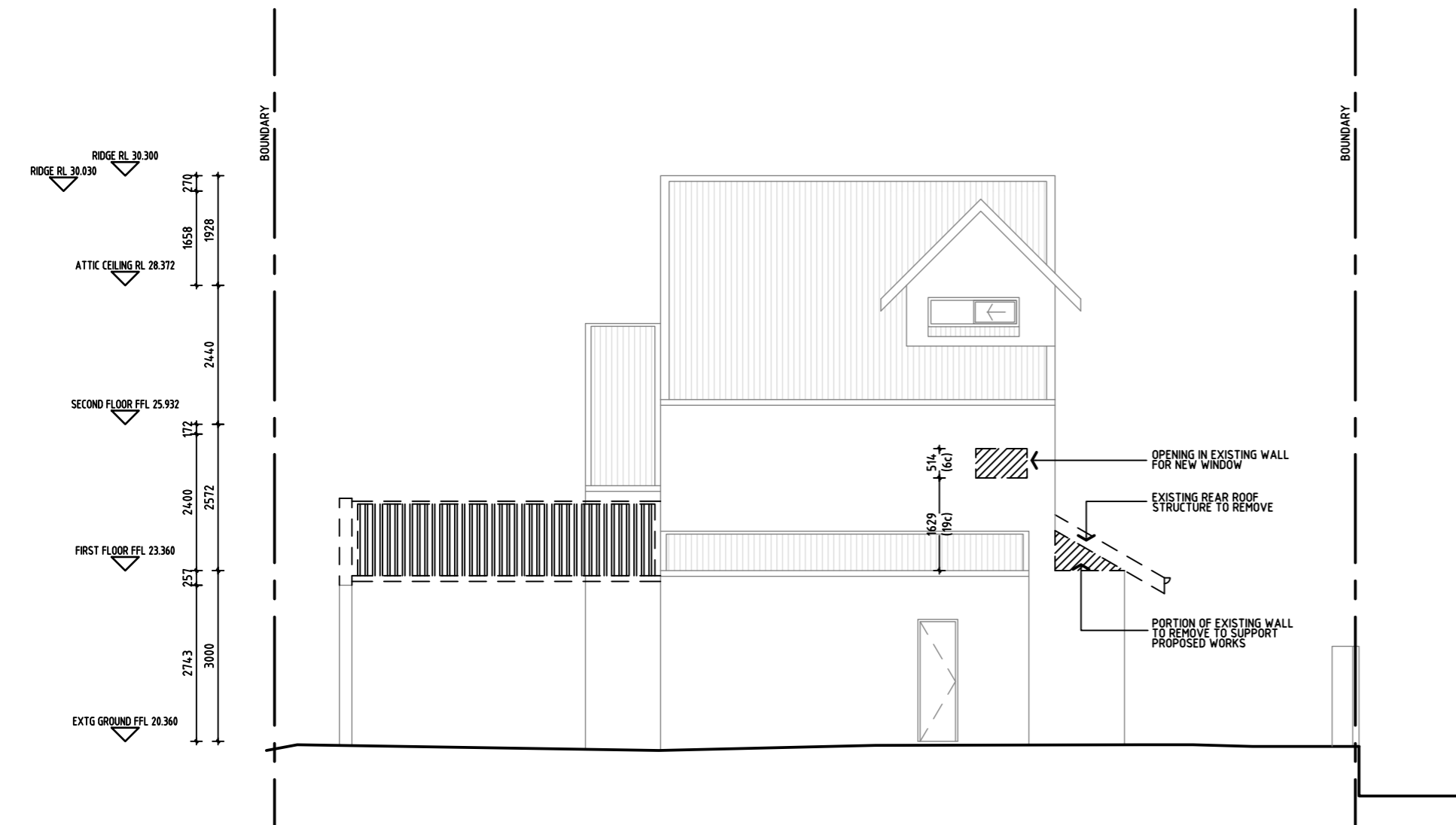
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P6	07/02/22	PRELIMINARY ISSUE
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P4	13/01/22	PRELIMINARY ISSUE
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P2	02/11/2021	PRELIMINARY ISSUE
P1	16/10/2021	PRELIMINARY ISSUE

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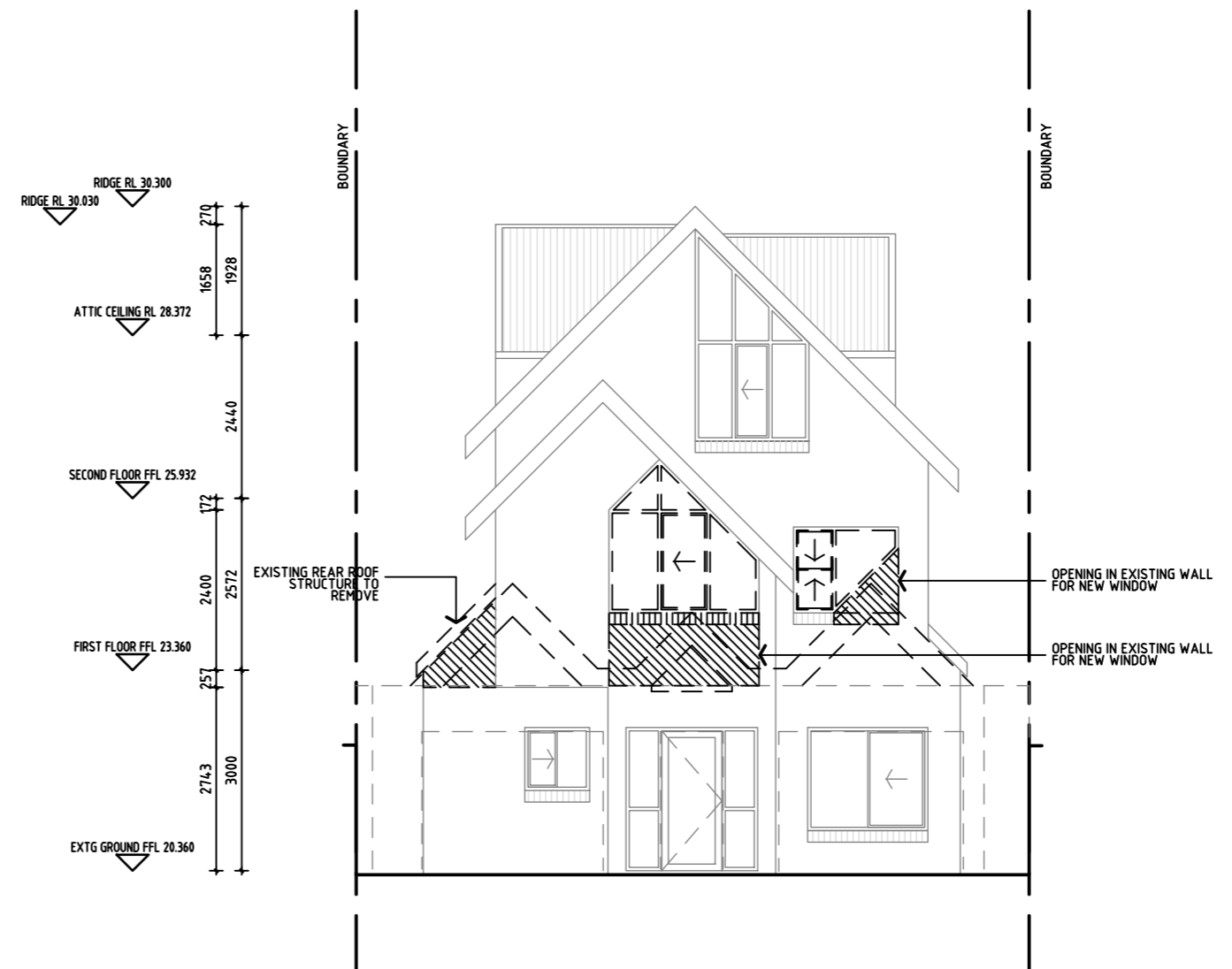
BURSEY RESIDENCE
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**PLANS
 PROPOSED SECOND FLOOR & ROOF**

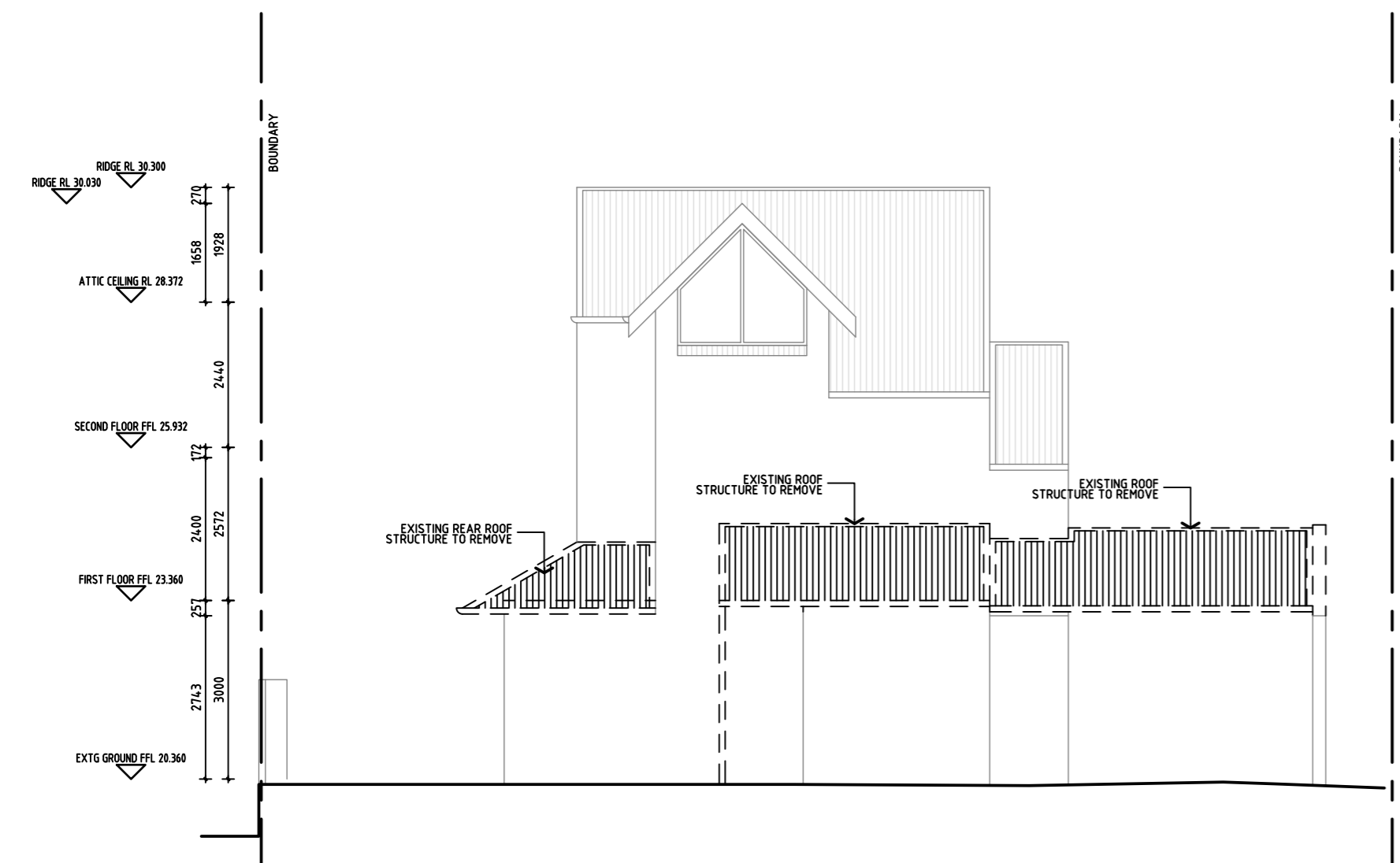
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	REVISION: P 10



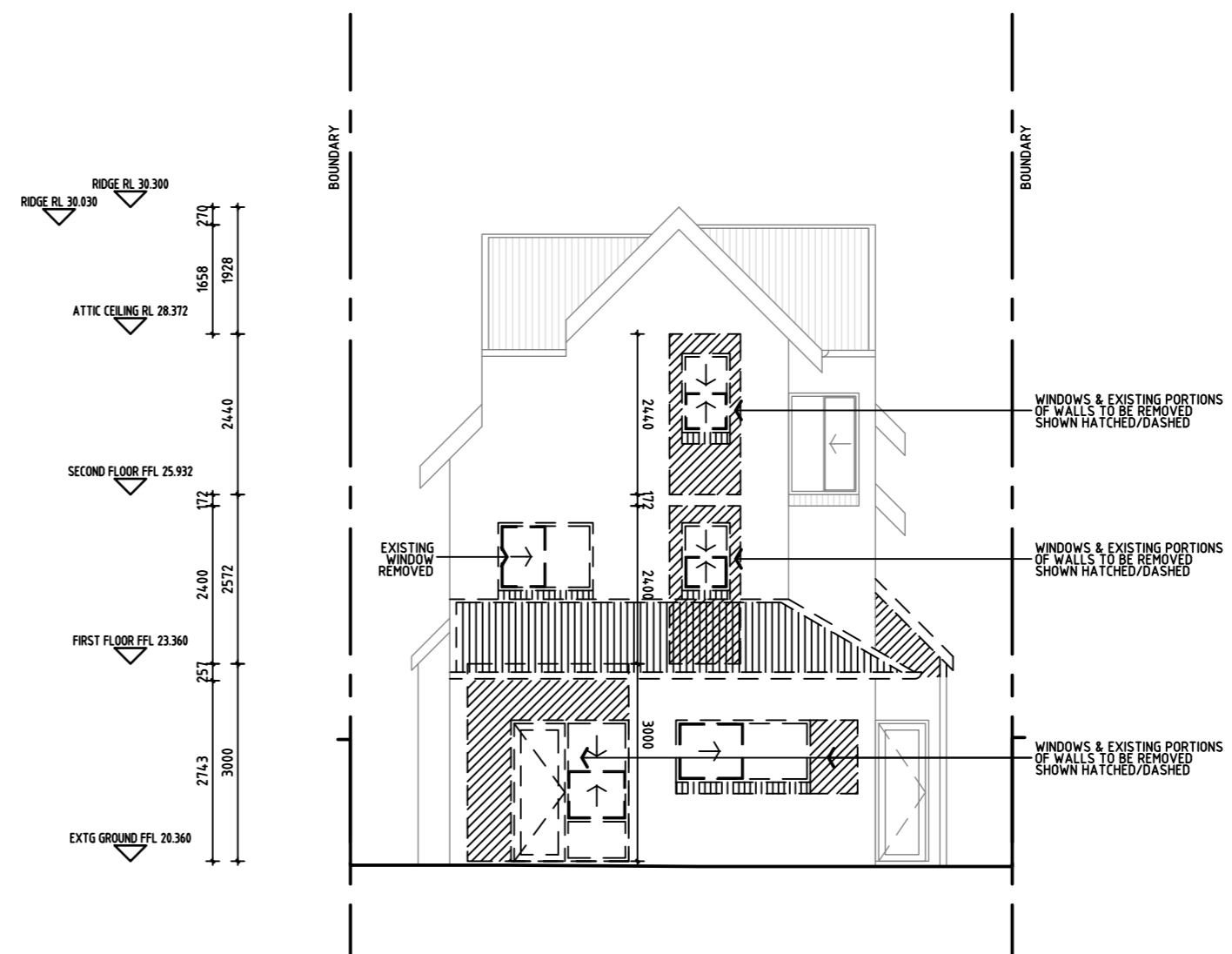
EAST ELEVATION
SCALE 1:100



SOUTH ELEVATION (PRIMROSE STREET)
SCALE 1:100



WEST ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100

**DA
ISSUE**

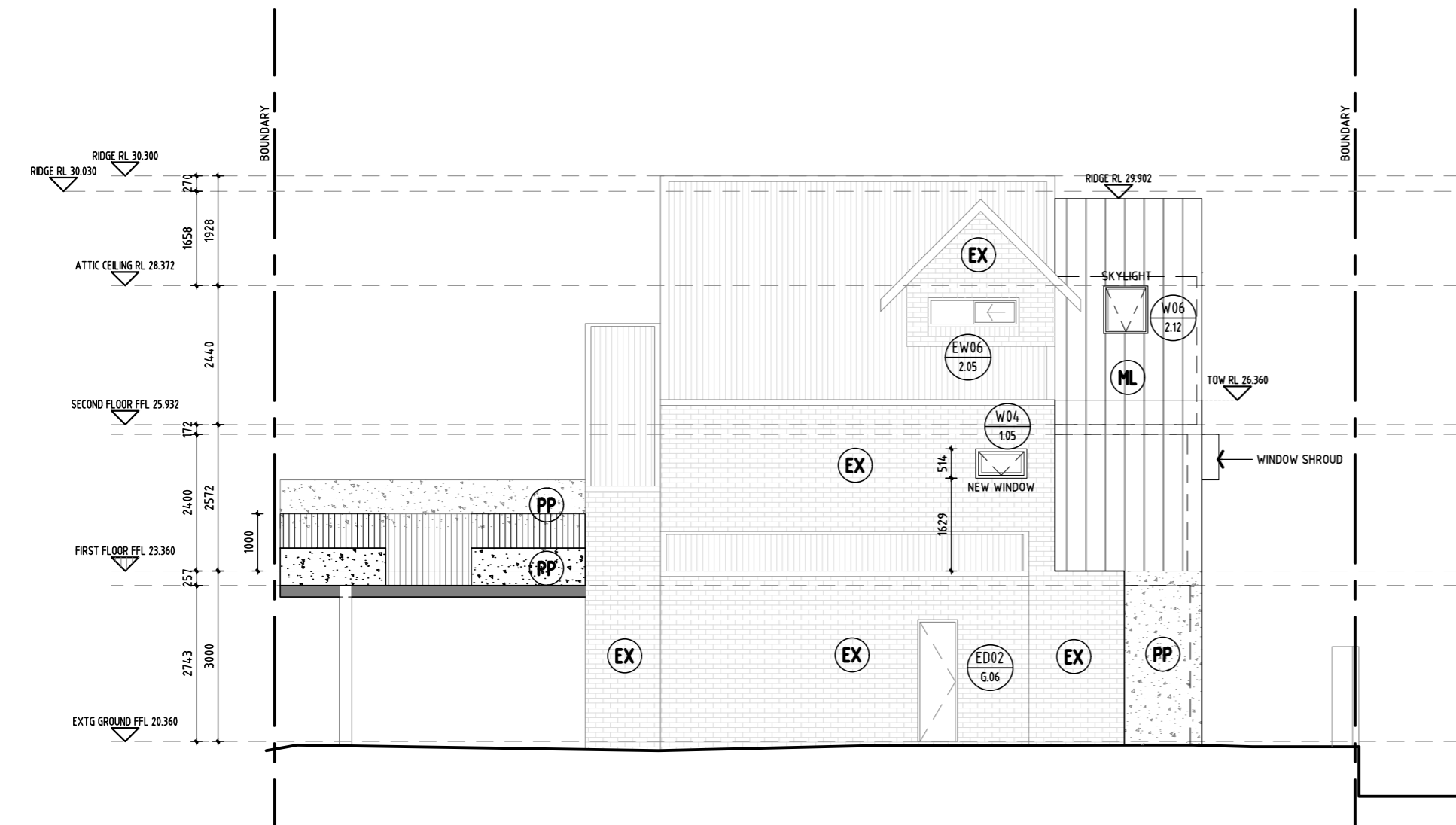
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P2	09/01/22	PRELIMINARY ISSUE
P1	15/01/22	PRELIMINARY ISSUE

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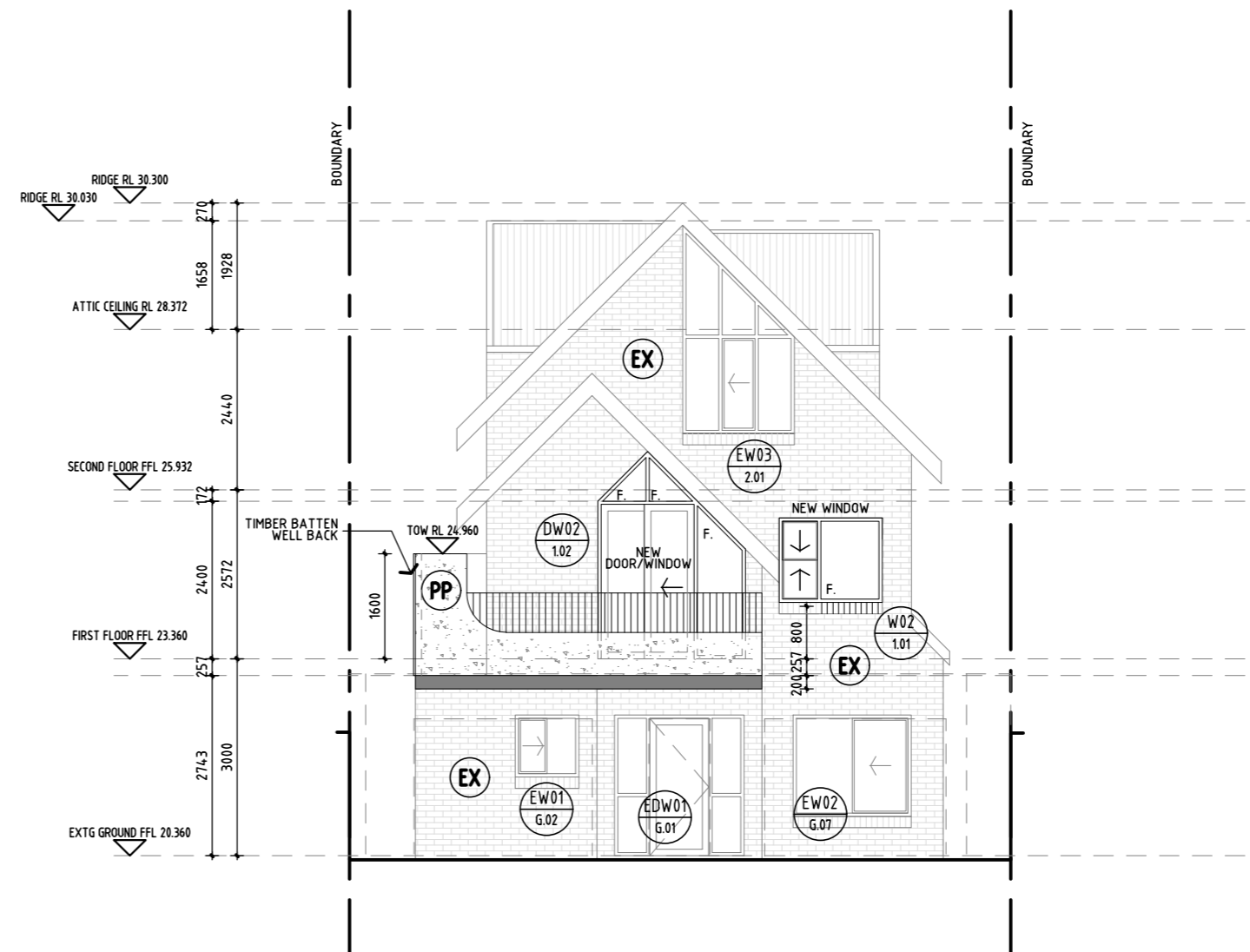
BURSEY RESIDENCE
4 PRIMROSE STREET, PERTH

TITLE: **ELEVATIONS
EXISTING & DEMOLITION**

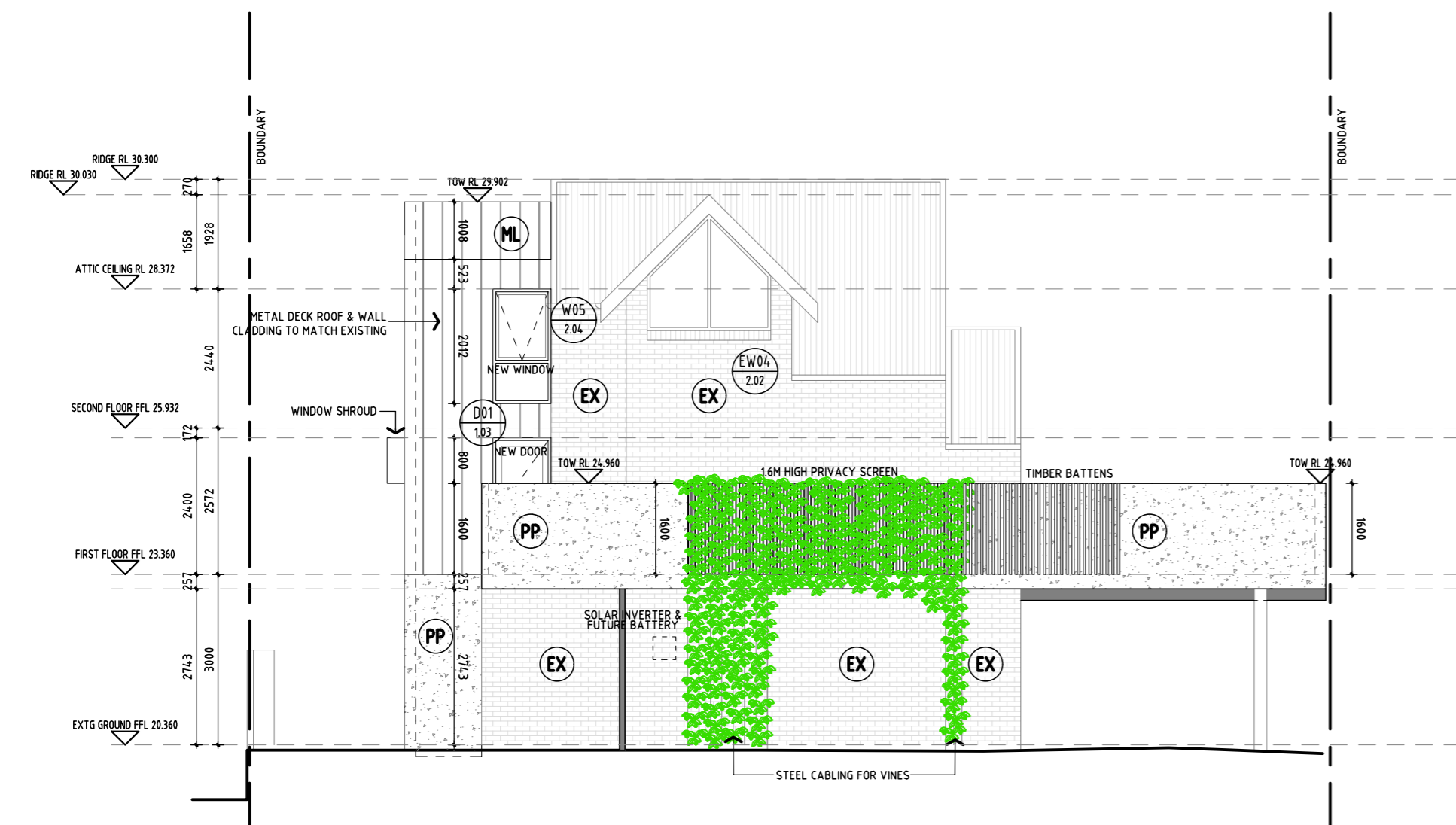
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CHECKED BY: K	APPROVED BY: K
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	REVISION: P5



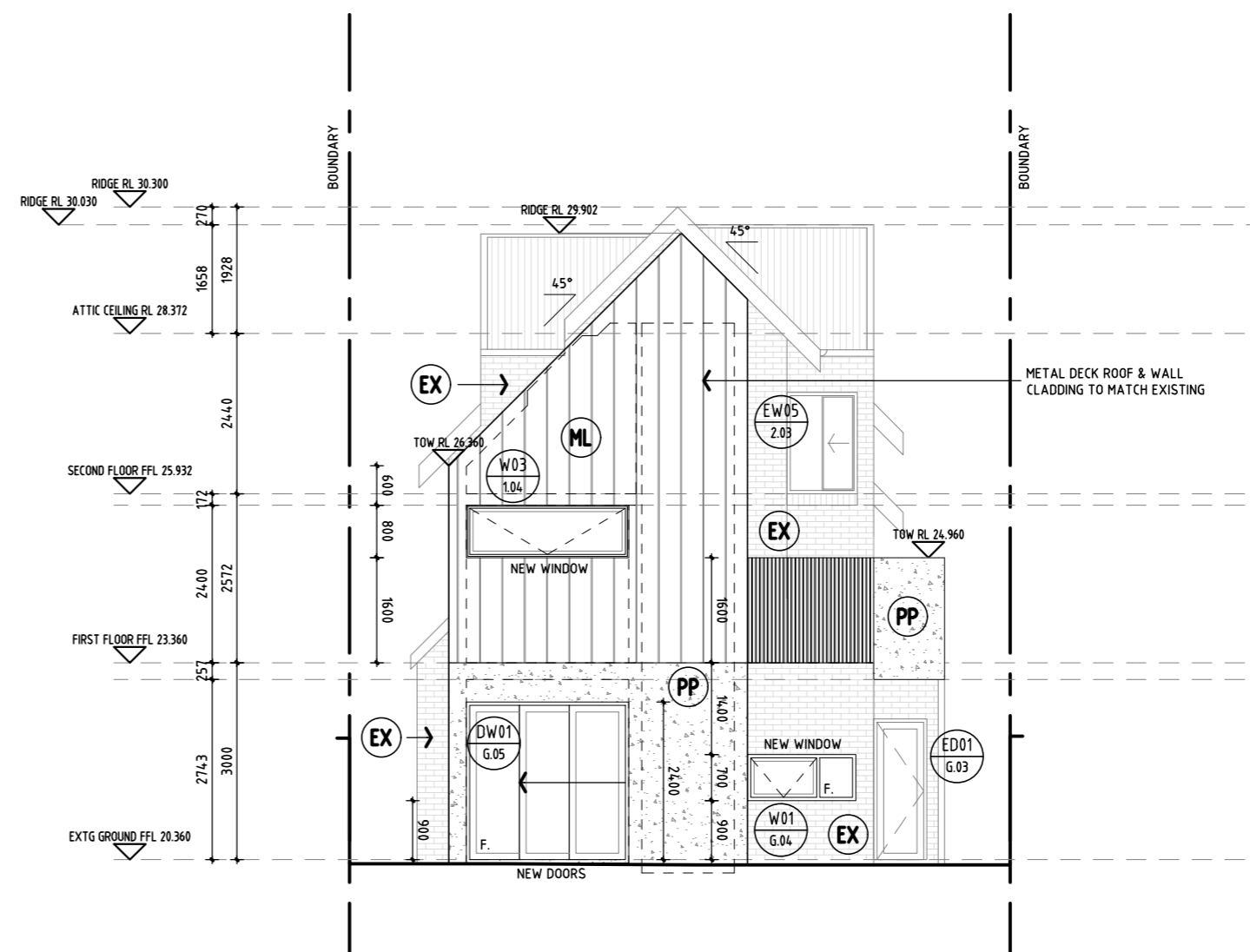
EAST ELEVATION
SCALE 1:100



SOUTH ELEVATION (PRIMROSE STREET)
SCALE 1:100



WEST ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100

ELEVATIONS FINISHES LEGEND

- EX** EXISTING WALL TO RETAIN - NO WORKS
- ML** MAXLINE METAL WALL CLADDING TO SCHEDULE
- PP** POLISHED PLASTER

NOTE: EXISTING TIMBER FRAMED DOORS AND WINDOWS TYPICALLY TO BE RETAINED AND RE-PAINTED. NEW ALUMINIUM FRAMED DOORS AND WINDOWS TYPICALLY IN POWDERCOAT FINISH. PROVIDE NEW PAINT FINISH TYPICALLY TO EXISTING TIMBER FAÇADE ELEMENTS INCLUDING GABLE ENDS, EXPOSED EAVE RAFTERS, PERGOLA POSTS AND FASCIA BEAMS.

**DA
ISSUE**

REVISION	DATE	DESCRIPTION
P1	28/03/23	DEVELOPMENT APPLICATION ISSUE
P4	05/06/22	DEVELOPMENT APPLICATION ISSUE
P5	29/08/22	PRELIMINARY ISSUE
P6	01/06/22	PRELIMINARY ISSUE
P3	07/02/22	PRELIMINARY ISSUE
P2	10/01/22	PRELIMINARY ISSUE
P1	15/01/22	PRELIMINARY ISSUE

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BURSEY RESIDENCE
 4 PRIMROSE STREET, PERTH

**ELEVATIONS
PROPOSED**

SCALE: 1:100 A2	DATE: 28/03/2023
DRAWN BY: BG	DRAWING NO: A-202
CHECKED BY: K	APPROVED BY: K
21-23 CAD FILE	7/23_Plan_Elev
	REVISION: P7

























Alterations & Additions


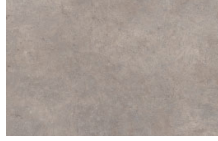

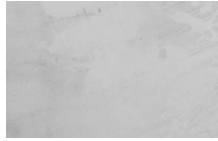




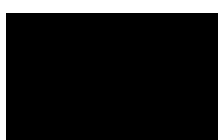
4 Primrose Street, Perth

Revision 0

5/10/2022

chindarsi architects

Finishes Schedule

Exterior	Product	Colour	Image
Floor	Existing concrete pavers		
	Porcelain Floor Tiles to new terraces	Materica, Polvere 225 x 453, Grip finish from Imported Ceramics	
Walls	Existing face brick	existing limestone coloured brick	
	Polished Plaster system on Masterwall to new walls	Stolig Milano, Colour 37107, heavy burnished finish	
	Fielders Finesse 'Prominence' 265mm wide flat pan metal wall cladding	Colorbond Finish: Basalt	
	Aluminium flat bar balustrade to terraces	Custom design by Craftsmen Fencing or similar. Colour: Black	
Roof	Concealed roof: Lysaght Trimdek metal deck roof sheeting	Colorbond Finish: Shale Grey	
	Fielders Finesse 'Prominence' 265mm wide flat pan metal cladding	Colorbond Finish: Basalt	
Fenestration	AWS powdercoated Window/Door Framing - Single Glazed & Window Shrouds	Black to match existing	
Glazing	Viridian ComfortPlus Solar Control Glazing (Low-E)	Colour: Clear	



28 March, 2023

chindarsi architects

City of Vincent
PO Box 82
LEEDERVILLE WA 6902

Attention: Director – Planning Services
Re: Alterations and additions to 4 Primrose Street, Perth WA 6000

Dear Sir/Madam,

I am writing in response to DRP comments received in relation to the Development Application for a proposed alterations and additions to an existing three storey dwelling at 4 Primrose Street, Perth.

We note the main concern referenced in the response from the review process was in relation to Principle 3 – Built form and scale, in particular in relation to the front proposed roof terrace and proposed walkway link to the rear roof terrace.

In response to the concerns raised, and to reduce bulk/scale impacts as well as the privacy concerns raised with respect to the unscreened section of walkway, please find amended drawings with accompanying perspectives which reflect the following adjustments to the design:

The walkway connection between the terraces provides access via the northern lift/hall lobby area without going through the bedroom/study, which is very important for the Owners, and not negotiable. A privacy screen matching the screen proposed to the northern roof terrace has been adopted to the section of walkway joining the front and rear terraces. This will be in the form of metalwork and minimum 75% obscured, to 1.6m height. Garden beds have been introduced below and cables introduced for vines to be planted at the ground level. It is proposed that the vines will grow up and into the privacy screen, adding a green-wall effect, breaking up the bulk of the wall at mid-length and adding softness and articulation to this elevation.

Composite timber 40 x 30mm battens, 'Saltbush' colour (grey-brown) will be affixed to the wall to a section adjacent the privacy screen to add further softening and articulation to the wall as indicated on the drawings.

There is a Native Franjipani tree (*Hymenosporum Flavum*) already planted in the garden bed between the carport and the western boundary. It is proposed that a minimum of a further two be planted along this boundary to add softening to this boundary interface.

From the neighbours on the western side, their own existing trees provide dense screening, particularly at the northern and southern ends of this area, which would almost completely obscure the view of the new proposed wall. It is also worth noting that the trees on the southern side of the neighbouring property were cut back and are re-growing and these have been historically much taller so will further contribute to landscape softening over time.

Their bull-nosed verandah roofing extends out from the house, leaving approximately 1m to the side, and the verandah roof effectively cuts off any view much higher than the base of the proposed walkway at approximately 3m height.

It is worth noting that at present where the walkway link is, there is a steeply angled roof element which adds a degree of bulk/scale to this area already. Within the context of the short length of wall which will be visible from the neighbouring side, and of the existing 3 storey bulk of the dwelling 1m immediately behind the proposed terrace and screening, it would seem that in reality the proposed wall will not add any meaningful bulk-scale impacts over and above what is already existing. Of more concern to this neighbour has been the very large two storey home with obscured windows that was recently constructed to their western boundary.

It is also worth noting that the Owners have been in close communication with the adjoining neighbour to the west, and in fact they have written into the City of Vincent in support of this application, and are happy to see the removal of the ugly steelwork that supports the carports and which are clearly visible from their rear yard.

In relation to the comments relating to the roof-deck's impact to the eastern neighbour, we can confirm that there are no visual privacy concerns to this side, which is a 3 storey high blank wall to the rear of the house on the eastern side. The large set-back provided allows for sufficient separation in our opinion given the context of the existing dwelling arrangement. The semi-circular slot in the eastern side of the terrace allows an existing franjipani tree (*Plumeria* species) to grow through this area from the garden below, further adding to the softening provided to this interface. There is an existing large Native Franjipani tree (*Hymenosporum Flavum*) which provides a further buffer between the proposed development and existing dwelling. It is also worth noting that the adjoining neighbours to the east have most likely illegally covered and built-over the gap between the dwelling and the boundary wall to create a shed of sorts, so any perceived privacy issues are unfounded in our opinion. It is unclear what acoustic impacts would be of concern from the use of the terraces, and in our opinion, this is not a planning issue, and the desire to have additional outdoor space is to make up for the lack of outdoor space currently afforded to them within the current design.

In relation to P1 – Context & Character, the houses adjacent to the north and east are existing 3 storey homes and thus consistent with the proposed modest 3 storey addition proposed which is primarily to accommodate a small lift. The scale of the dwelling adjacent to the west is lower but the proposed bulk and scale to this side is between 1 and 2 storeys so is consistent with maintaining a stepping down of bulk and scale to lower massing to the western interface, and the roof terrace element in our opinion will soften/mediate between the existing single storey + pitched roof form/height and existing three storey height of the dwelling at 4 Primrose St.

In relation to P7 – Legibility, the existing pedestrian access gate is clearly visible and we are not proposing changes to this area. We are proposing to bring down the bulk-scale to the front setback area in relation to proposed removal of carport gable roof forms and reinstatement with a lower and reduced scale roof terrace which will improve interactivity and passive surveillance between the dwelling and the existing streetscape of Primrose St.

Please also find attached additional photos to explain existing context -



Figure 1: Existing verge tree (Liquid Ambar), Bougainvillea, and Trees in Side Setback between Dwellings contribute to substantial softening and are an existing landscape buffer which is being retained and enhanced.



Figure 2: Existing verge tree (Liquid Ambar), existing trees and existing garage roof obscuring view to area of proposed roof terrace at 4 Primrose St.



Figure 3: Existing verge tree (Liquid Ambar), existing trees and existing garage roof obscuring view to area of proposed roof terrace at 4 Primrose St.



Figure 4: Existing dense foliage/planting between 4 Primrose St and 57 Glendower St landscape buffer

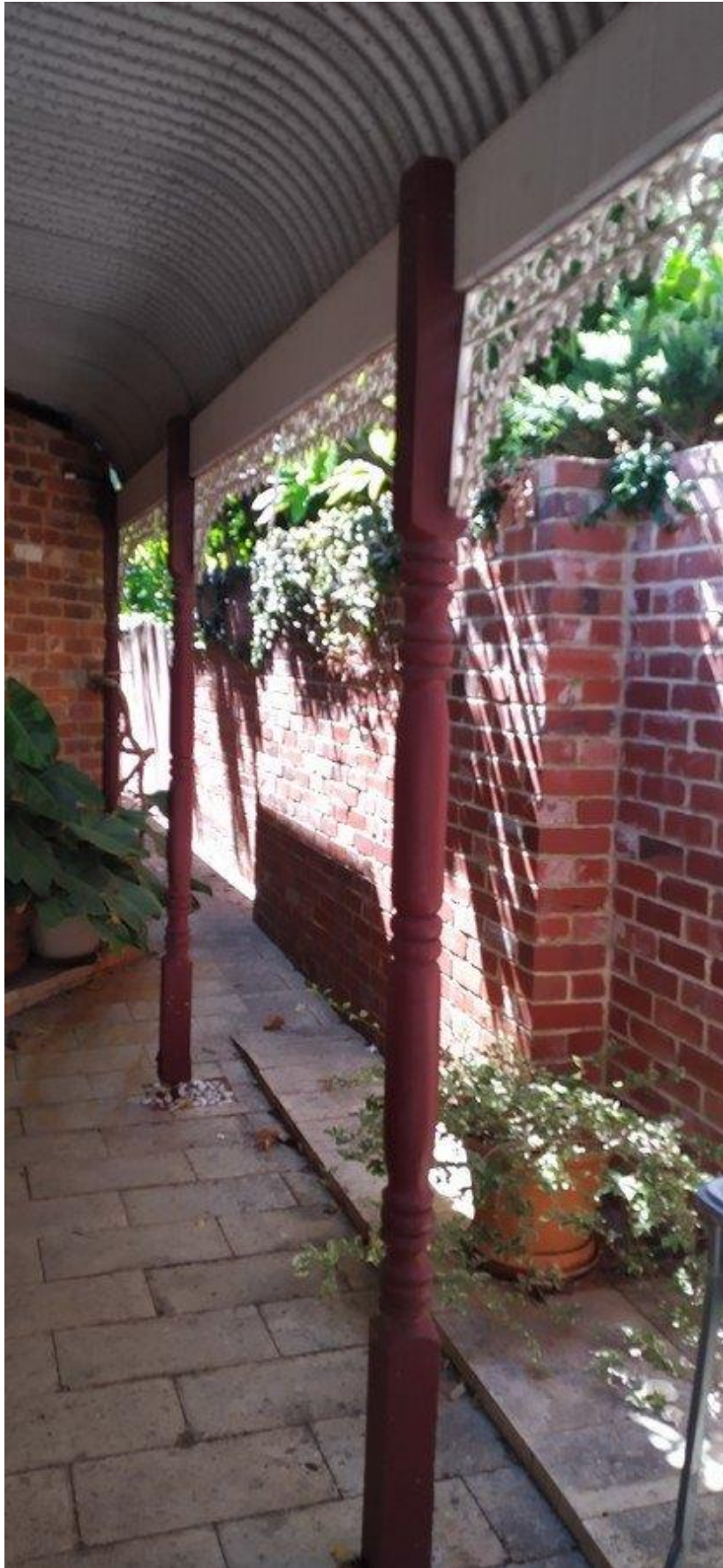


Figure 5: Existing bullnose verandah and boundary fence of 57 Glendower St providing visual cut-off and limiting field of view to adjoining property at 4 Primrose St



Figure 5: Existing bullnose verandah and boundary fence of 57 Glendower St providing visual cut-off and limiting field of view to adjoining property at 4 Primrose St

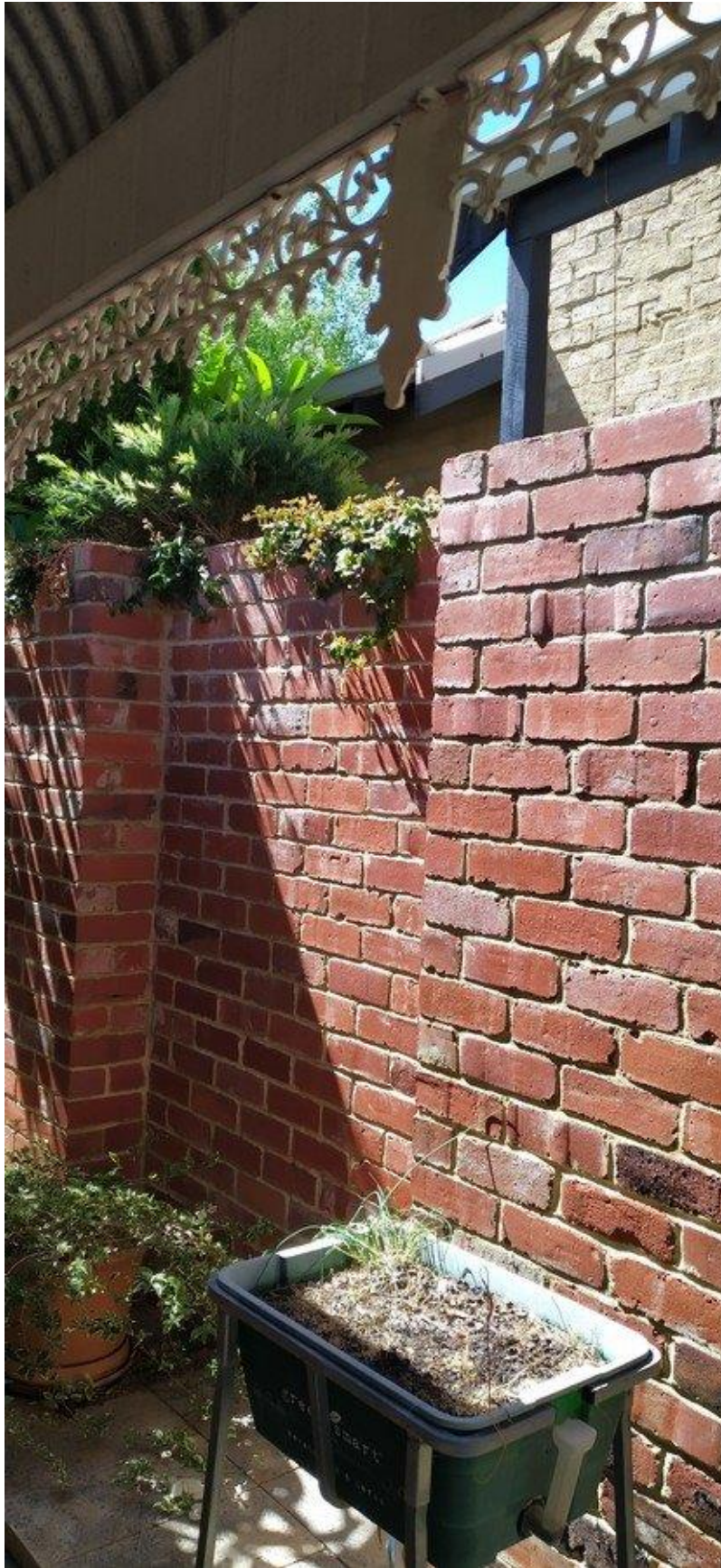


Figure 6: Existing bullnose verandah and boundary fence of 57 Glendower St providing visual cut-off and limiting field of view to adjoining property at 4 Primrose St



Figure 7: Existing bullnose verandah and boundary fence of 57 Glendower St providing visual cut-off and limiting field of view to adjoining property at 4 Primrose St. Existing bulk and scale of roof element to walkway location to be noted.



Figure 8: Existing large tree Native Franjipani tree (Hymenosporum Flavum) providing landscape buffer/softening between proposed roof terrace and 3 storey high blank wall to the east of 4 Primrose St



Figure 9: Existing two storey dwelling at 59 Glendower St provides a much more imposing wall with very little by way of articulation and appears to have a minimal setback to the western interface with 57 Glendower Street – this has a much greater bulk and scale impact in comparison to what is proposed to the opposite side.



Figure 10: Existing dense foliage/planting between 4 Primrose St and 57 Glendower St landscape buffer.

Note these photos taken from the neighbouring property were provided by the Owner with the full support of the neighbours at 57 Glendower St, Perth.

I hope that the comments provided sufficiently address the concerns of both the DRP Panel Member and the City of Vincent. Should you have any further questions or issues, do not hesitate to contact me.

Regards,

A handwritten signature in black ink, appearing to read 'Joe Chindarsi'.

Joe Chindarsi
Architect
Architects Board of WA Registration No. 1873 + No. 2168

Determination Advice Notes:

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
3. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
5. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
6. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
7. No verge trees shall be removed. The verge trees shall be **RETAINED** and **PROTECTED** from any damage including unauthorised pruning.
8. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to the commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
9. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
10. In regards to Condition 4, all stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
11. With reference to conditions 5.3 and 6, the visual privacy requirements of Clause 5.4.1 C1.2 of the R Codes Volume 1 states that "*screening devices such as obscure glazing, timber screens, external blinds, window hoods and shutters are to be at least 1.6m in height, at least 75 percent obscure, permanently fixed, made of durable material and restrict view in the direction of the overlooking into any adjoining property.*"