PS02 Advice on Planning Applications

# FORM NO. 1 TOWN PLANNING SCHEME NO. 2 APPLICATION FOR APPROVAL TO COMMENCE DEVELOPMENT

Name of Applicant: AUGERI PLANNING & APP	PEALS
Address of Applicant: Po Box 373, VICTORIA PA	P/Code: 6979
Day time Phone No.: 9470 9447 Mobile No:	
Email Address: JOE @ ALGEL. COM. Au Fax No: 91	470 9227
Name & Address of Owner (if not Applicant):  CLENN TAYLOR  62 CRADDON ROAD, OAKFORD	
	P/Code: 612.1
Description of Land (Lot No. & Street Name of property where dev	8
LOT 496 (NO. 62) CRADDON ROAD, OAKFORD	•
PROPOSED OUTBUILDING (SHED)  Existing land use (attach plan showing location of existing building	ıs):
Value of Development (excluding GST component of contract): \$	50,000
Signature of Land Owner:	
Date: 21.5.20/4	
This application form must be accompanied by the This is not a building application for which a separate a	
	SHIRE OF
ffice Use Only Fee Receipt No. Date	STAINE ST
#/W7:00 10/10/17 7 8 5 ///	2 9 MAY 2014

published by the shire of serpentine jarrahdale, 6 paterson st, mundijong ph: 08 9526 1111; fax: 08 9525 5441; www.sjshire.wa.gov.au; info@sjshire.wa.gov.au Sustainable, Connected, Thriving!

Trim Record E07/835

07/13

PS02 Advice on Planning Applications

## **Development Application Checklist**

	Information / Documentation Required	Please tick
1.	Completed Application Form (signed by owner) If subject to a change of ownership the purchaser should complete the Form 1 as the owner and attach a copy of the "Offer and Acceptance"	Yes 🗸 No 🗌
2.	Application Fee	Yes 🗹 No 🗌
3.	Site Plan showing all requirements listed – 1 copy NB If also submitting a building application an additional 2 copies will be required	Yes 🗹 No 🗌
4.	Floor Plan - 1 copy  NB If also submitting a building application an additional 2 copies will be required	Yes No
5.	Elevation Drawings - 1 copy  NB If also submitting a building application an additional 2 copies will be required	Yes 🗹 No 🗌
6.	Schedule detailing materials and colours to be used (refer form attached).	Yes 🗹 No 🗌
7.	For variations - details of proposed variations to Town Planning Scheme, policy requirements or Residential Planning Code requirements	Yes 🗹 No 🗌
8.	Other Additional Information:	Yes No 🗸
	Commercial Development details	Yes No
,	Commercial Vehicle Details	
	Home Occupation / Home Business details	Yes No No

The provision of all of the required information will assist the Shire in minimising the time taken to determine applications. The Shire also reserves the right to request additional information to assist in determining the proposal should the need arise.

## Please check your documents carefully as incomplete applications may be returned

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### **Schedule of Materials and Finishes**

(to be submitted with all applications for new buildings or additions to existing buildings)

PROPERTY ADDRESS: LOT 496 (NO. 62) CRADOON ROAD, GAKFORD

Building		Materials	Colour
House	Walls		
	Roof		
	Gutters		,
	Windows		
	Other (detail)		
Shed	Walls	colourbond	aren anntree
	Roof	coloubbons	CIRCO COUNTREE
	Gutters		
	Windows		
	Other (detail)	REFER TO ATTACHED FURTHER DETAIL	PLANS FOR
		FURTHER DETAIL	29-10
Driveway			
Paths/Paving			100
Water Tanks			
Other (detail)			

#### Notes:

- 1. Colour state product name and shade (ie Colourbond "Eucalyptus").
- 2. In "Other" for sheds and houses detail any additional trims such as verandah posts, fascias etc.)



28 May 2014

Chief Executive Officer
Shire of Serpentine Jarrahdale
6 Paterson Street
MUNDIJONG WA 6123

**Attention: Planning Department** 

Dear Sir/Madam,

APPLICATION FOR PLANNING APPROVAL – PROPOSED OUTBUILDING (SHED) – LOT 496 (NO. 62) CRADDON ROAD, OAKFORD

Please find below for your consideration a discussion of the relevant background and justification for the planning application for a proposed outbuilding (shed) ('the proposed development' or 'proposal') at Lot 496 (No. 62) Craddon Road, Oakford ('the subject land' or 'land'). This submission is prepared by Algeri Planning and Appeals on behalf of Glenn Taylor ('the Applicant').

Please also find attached:

- Completed Application for Approval to Commence Development (Form 1);
- Completed Development Application Checklist;
- Cheque for the application fee of \$147;
- . One (1) complete copy of plans including site plan and elevation drawings; and
- Completed Schedule of Materials and Finishes.

Subject land and locality

The subject land exists as a triangular-shaped rural lot with a narrow frontage to Craddon Road, Oakford and measures approximately 3.2810ha. The land exists with an existing residential dwelling and an existing shed which measures approximately 162m<sup>2</sup>. All of the built-form development is situated at the front of the lot, with the rear of the lot remaining undeveloped.

In assessing the immediate locality, I undertook a view of Craddon Road and Foxton Drive. From my observations, large outbuildings are not unusual and there are several examples on Craddon Road and Foxton Drive which are clearly visible from the street as large sheds (refer to photos 2 - 8 of **Attachment 1**).

#### Background

In March 2014, the Applicant lodged an application for development approval with the Shire of Serpentine Jarrahdale ('the Shire') for the erection of a shed on the subject land and described the proposed use as a 'home business'. Upon professional advice from ourselves, we advised the Applicant that the shed could not be approved under the 'home business' classification because of the Shire's provision that it cannot occupy an area greater than  $50m^2$ .

Based on our advice, the Applicant has been required to consider an entirely different philosophy for his needs in this current application. The Applicant is no longer seeking approval for storage for his business as he will deal with those requirements off-site on the basis that his extensive motorcycle collection of approximately 40 bikes, which are currently located off-site, are to be stored onsite as a trade-off. In essence, the proposed shed will be for personal storage.

#### Proposed development

The proposed shed subject to this application is however, identical to that previously proposed, measuring 20m x 10m, equating to a total floor area of 200m<sup>2</sup> and consisting of a wall height of 5m and a ridge height of 6m. The shed is proposed to be located to the north-west of the land which is already well vegetated (refer to site plan with aerial overlay), particularly from view by the neighbouring property at Lot 513. Furthermore, given the narrow frontage of the land caused by its triangular-shaped configuration, the main dwelling itself is barely visible from the street and the proposed shed, which is north of both the existing dwelling and shed, will not have a negative impact on the streetscape (refer to photo 1 of **Attachment 1**).

#### Planning considerations

The subject land is zoned 'Special Rural' pursuant to the Shire's Town Planning Scheme No. 2 ('TPS2') and is contained within the 'Rural Living B (2ha to 4ha lots)' Policy Area pursuant to the Shire's Rural Strategy.

Under the Shire's historical Local Planning Policy No. 17 – Residential and Incidental Development ('LPP17') which was adopted in 2003 and last updated in 2007, Table 3.2 outlined that areas zoned 'Special Rural' are subject to a maximum combined floor area of  $200m^2$  for outbuildings, a maximum wall height of 4.0m and a maximum roof height of 6.0m. The combined floor area of the existing and proposed sheds equates to approximately  $362m^2$  and whilst the proposed wall height does not comply with the maximum outlined in Table 3.2, the Applicant would be willing to accept a condition reducing the wall height to be compliant, if the Shire is of the view that such a condition is necessary. The only reason this is offered as a concession is that, in my view after having visited the site, the only prospect of the shed being visible to any other property is by virtue of its height. Even so, with the existing, mature vegetation that exists around the perimeter of the subject land, the roof line will only be marginally visible.

From a policy perspective, it appears as though LPP17 is being replaced by, or at least in part, by draft Local Planning Policy No. 36 – Non-Urban Outbuildings ('draft LPP36') which is available on the Shire's website under the section 'Prepared for Public Comment'. In accordance with Table 1 of draft LPP36, the acceptable development provision for the outbuilding floor area within the 'Special Rural' zone is less than 200m<sup>2</sup> and the performance based criteria is less than 300m<sup>2</sup>. Table 1 also states that the maximum wall height is 4.5m and the maximum roof ridge is 5.0m. As stated previously, the proposed development does not comply with these standards however if the Shire deems it necessary, the Applicant would be willing to accept a condition to reduce the height of the shed.

We note that draft LPP36 is a draft policy and as with any policy it is arguable as to what weight, if any, should be given to it. All local policies, particularly when in draft form, do not have the same power and effect as the more formalised statutory provision(s) contained within local planning schemes. Notwithstanding this, LPP17 and draft LPP36 are still useful instruments in the assessment of development applications where the broader objectives are consistent with established principles of orderly and proper planning.

Notwithstanding that draft LPP36, which is the more contemporary policy, has a 300m<sup>2</sup> maximum floor area for outbuildings, Council should not be overly preoccupied with a technical measure but rather the outcome for the reasons outlined in this submission. In this regard, we submit that due to the location of the proposed development and the vegetation which surrounds it, the shed will not impact the visual amenity of any adjoining resident. Furthermore, we reiterate that whilst there are several examples of large sheds visible from the street (refer to photos 2 - 8 of Attachment 1), due to the narrow frontage of the lot and the proposed location of the shed behind both the existing dwelling and shed which are barely visible from the street themselves, this proposed shed will also not have any impact of the streetscape which could potentially preoccupy the Council with some form of precedent concerns.

#### Conclusion

The Applicant is proposing to erect a 200m<sup>2</sup> outbuilding (shed) to the rear of the subject land in addition to the 136m<sup>2</sup> which currently exists. Notwithstanding that the cumulative floor area of the existing and proposed sheds does not comply with the maximum floor area under LPP17 or LPP36, we are of the view that as it will not be visible from the street or the adjoining neighbour, it is capable of approval by Council and such an approval would not be contrary to orderly and proper planning.

I trust this information is to your satisfaction. Should you have any questions regarding the above mentioned, please do not hesitate to contact me on 9470 9447 or joe@algeri.com.au. We otherwise look forward to your favourable determination.

Yours faithfully,

Joe Algeri

Director

#### Attachment 1

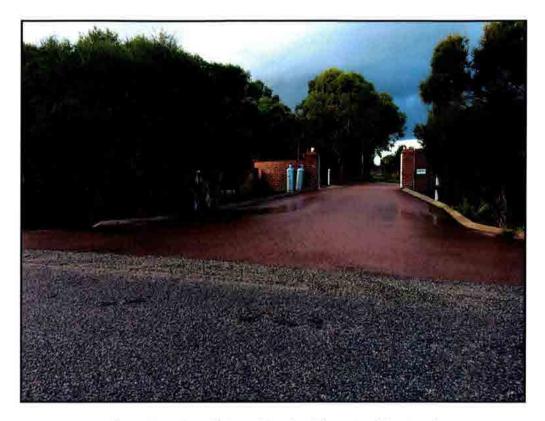


Photo 1: A view of the subject land from Craddon Road



Photo 2: An example of a shed within the immediate locality which is visible from the street



Photo 3: An example of a shed within the immediate locality which is visible from the street



Photo 4: An example of a shed within the immediate locality which is visible from the street

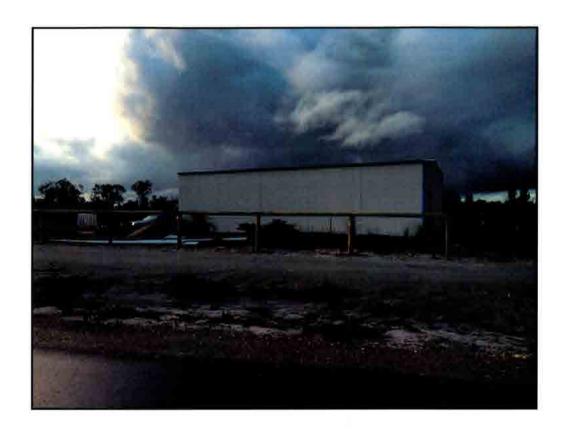


Photo 5: An example of a shed within the immediate locality which is visible from the street



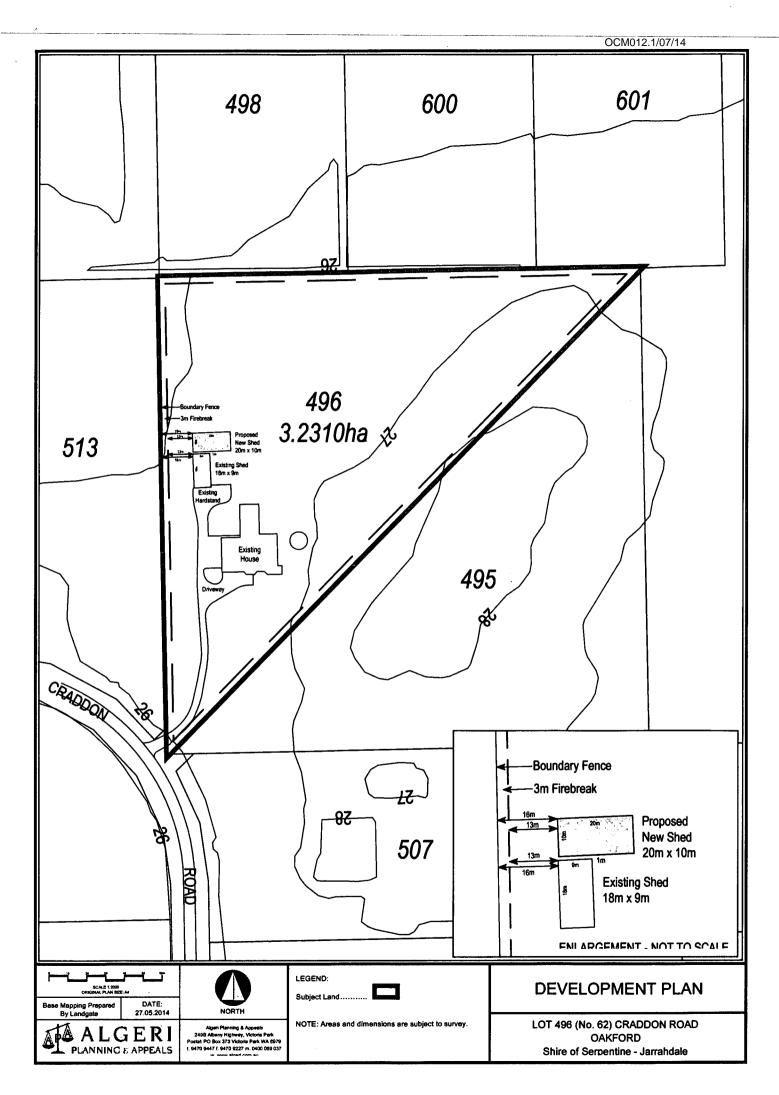
Photo 6: An example of a shed within the immediate locality which is visible from the street

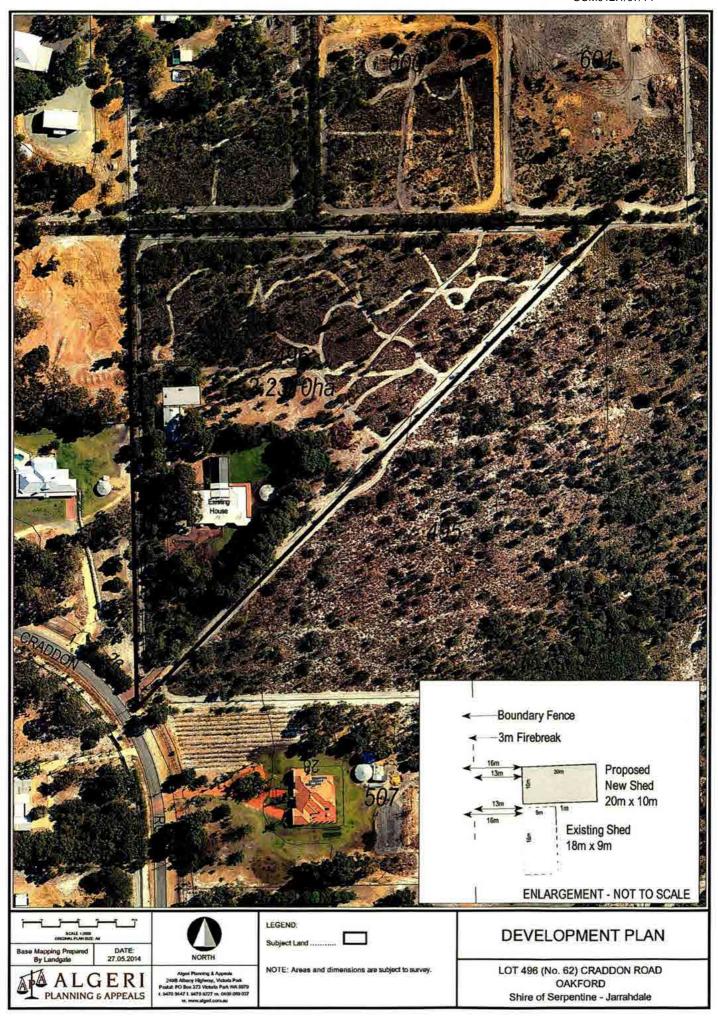


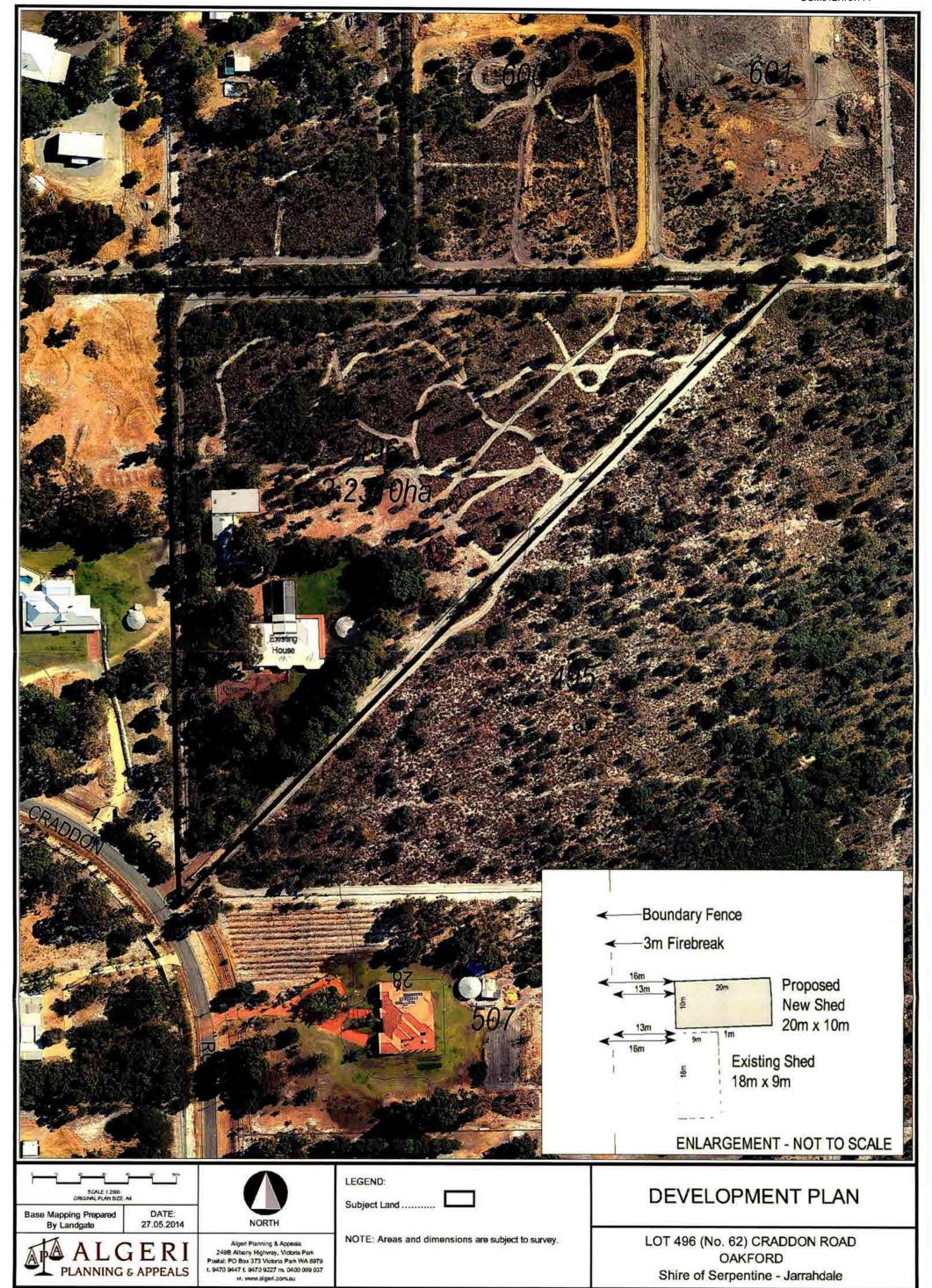
Photo 7: An example of a shed within the immediate locality which is visible from the street

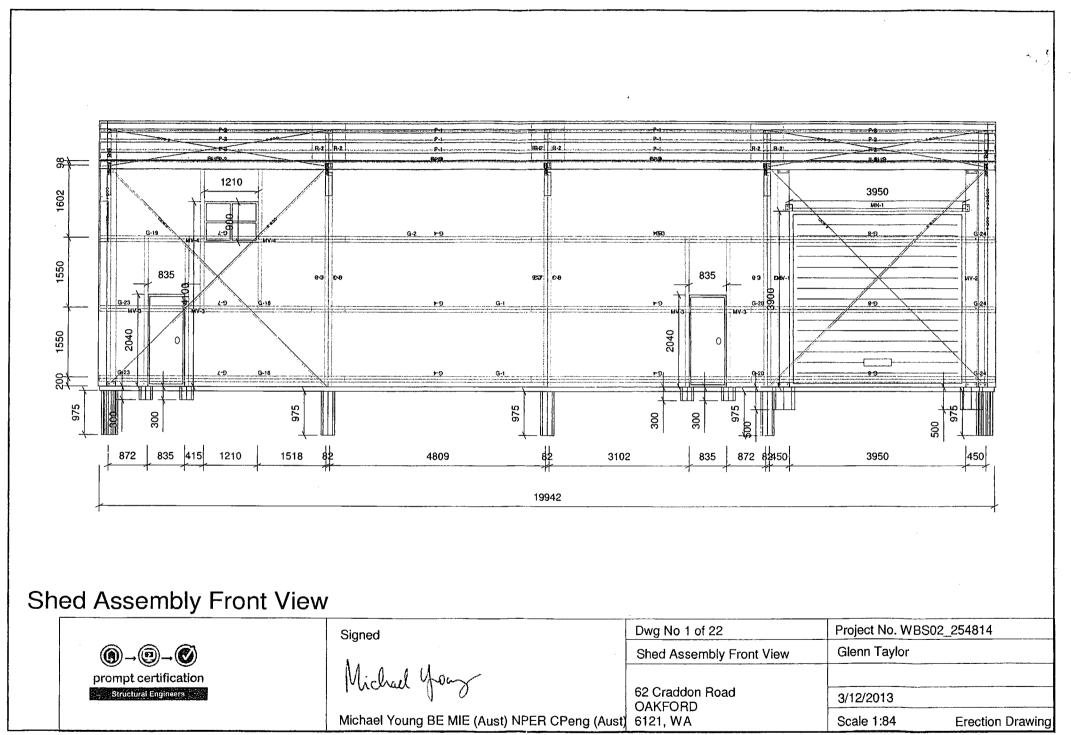


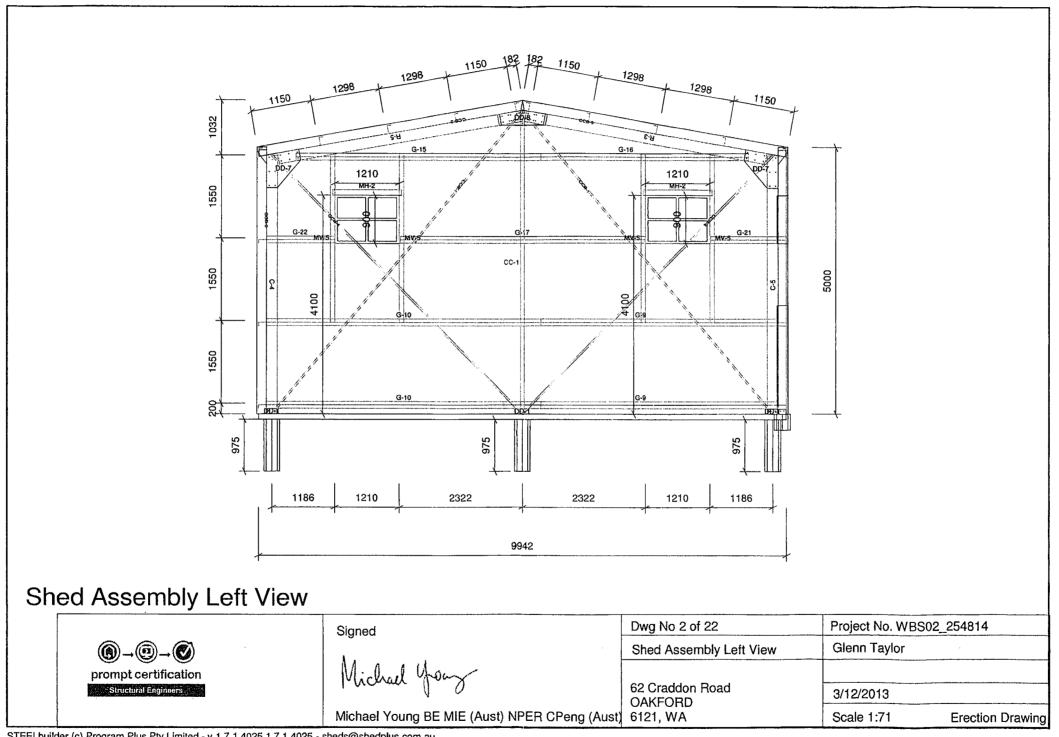
Photo 8: An example of a shed within the immediate locality which is visible from the street

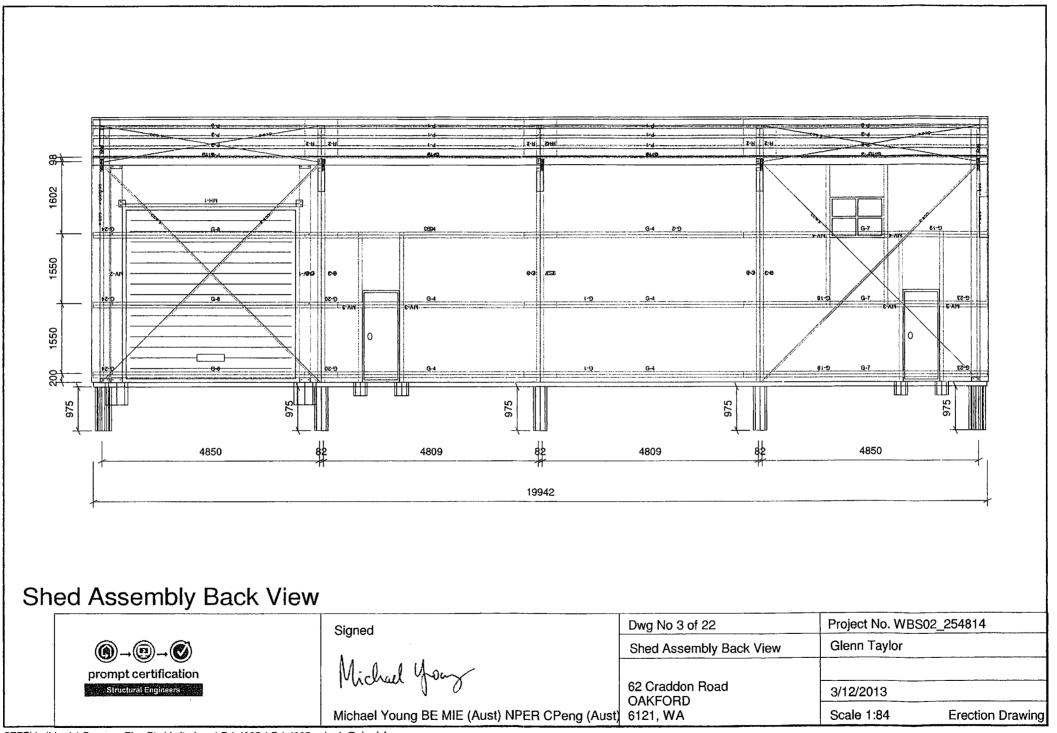


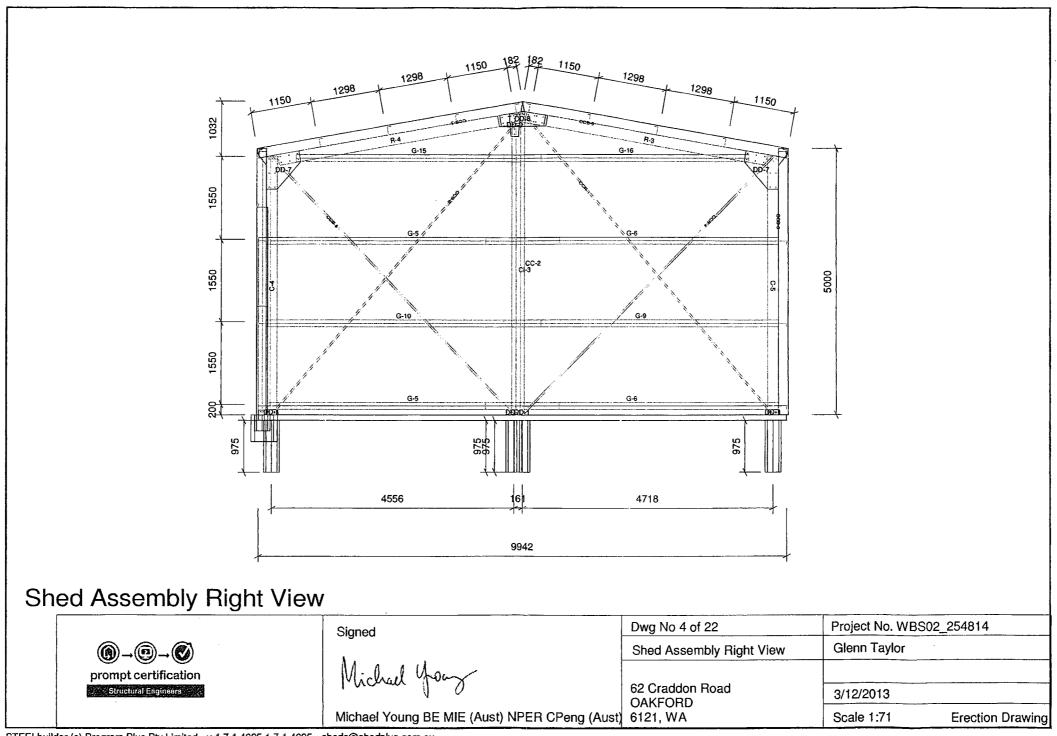


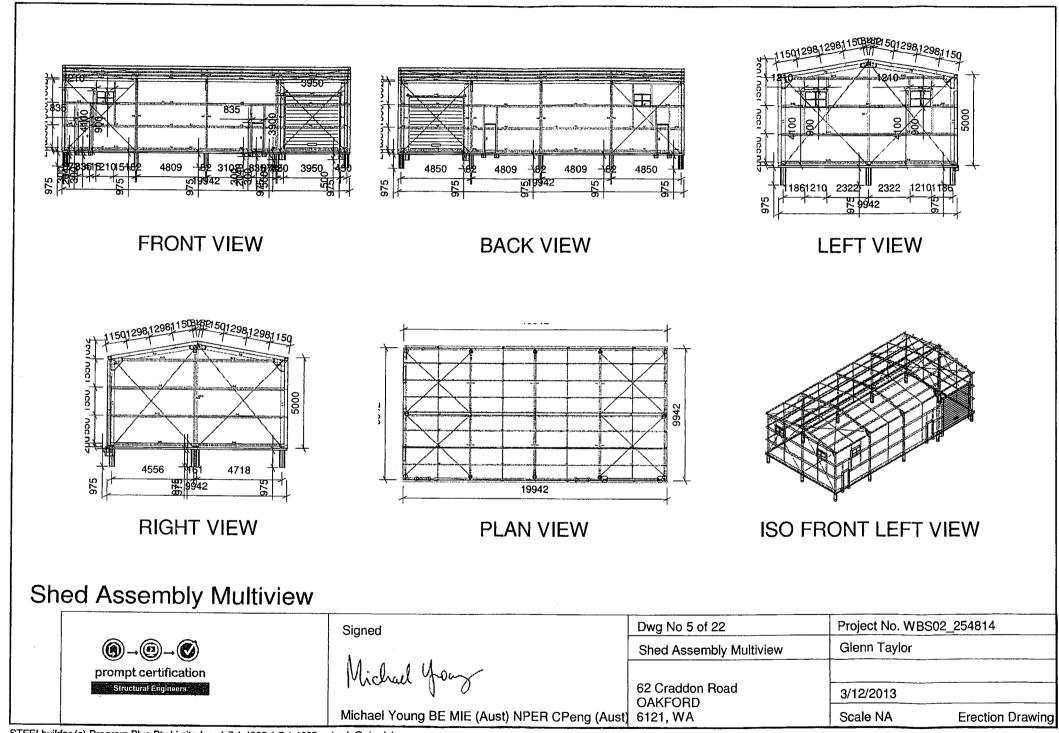


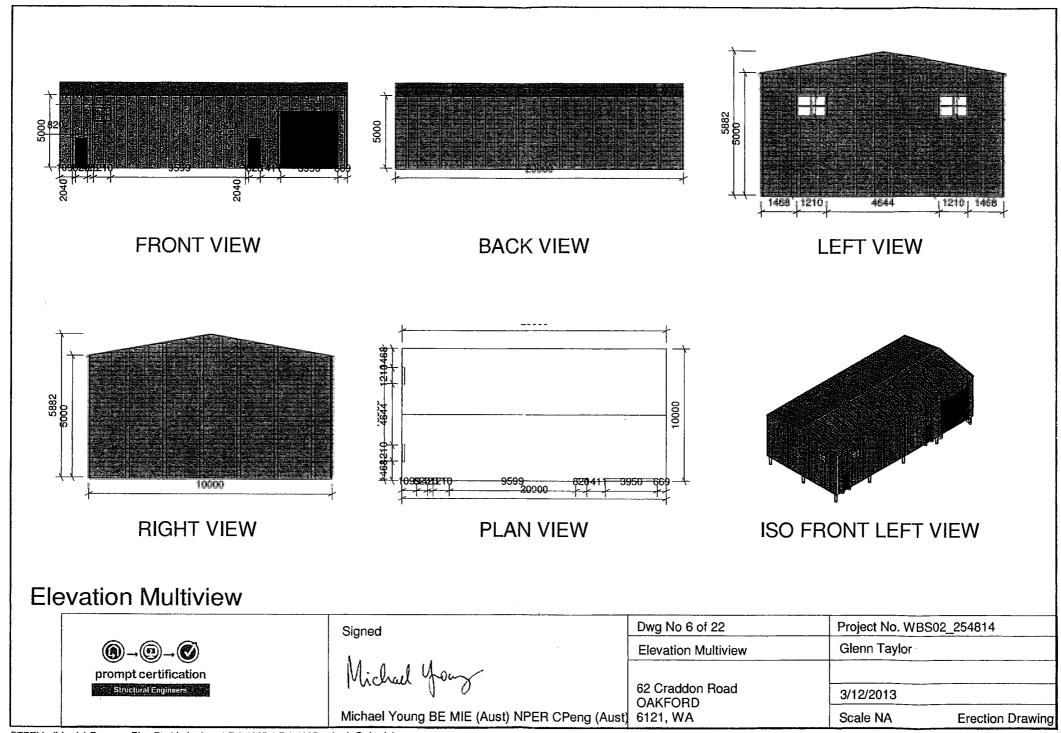




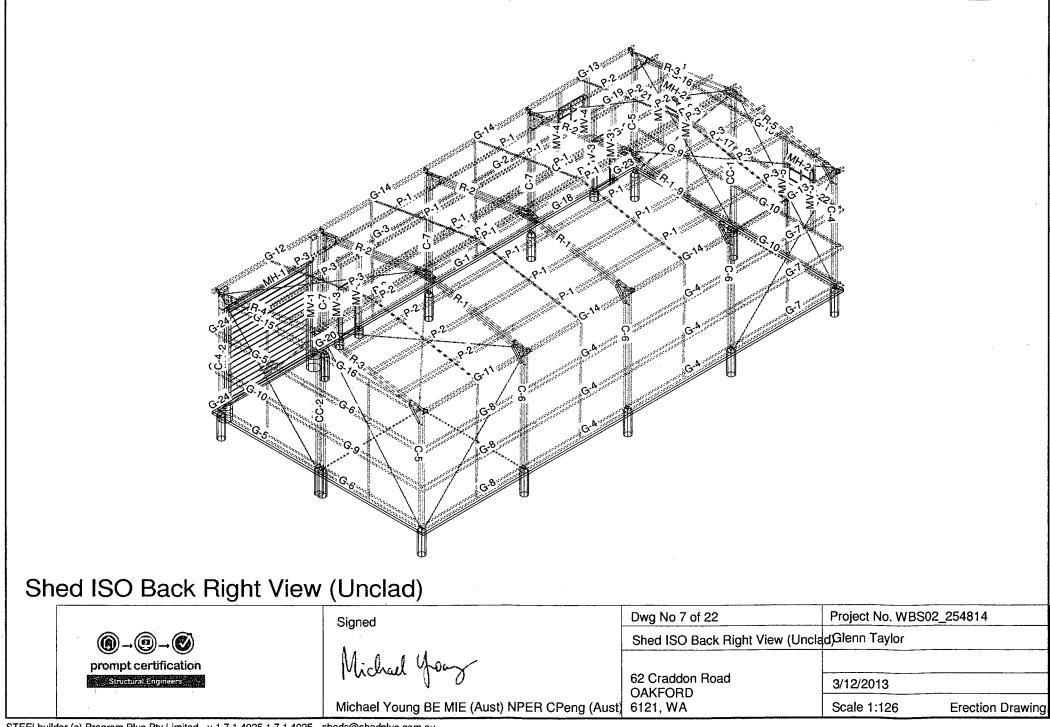


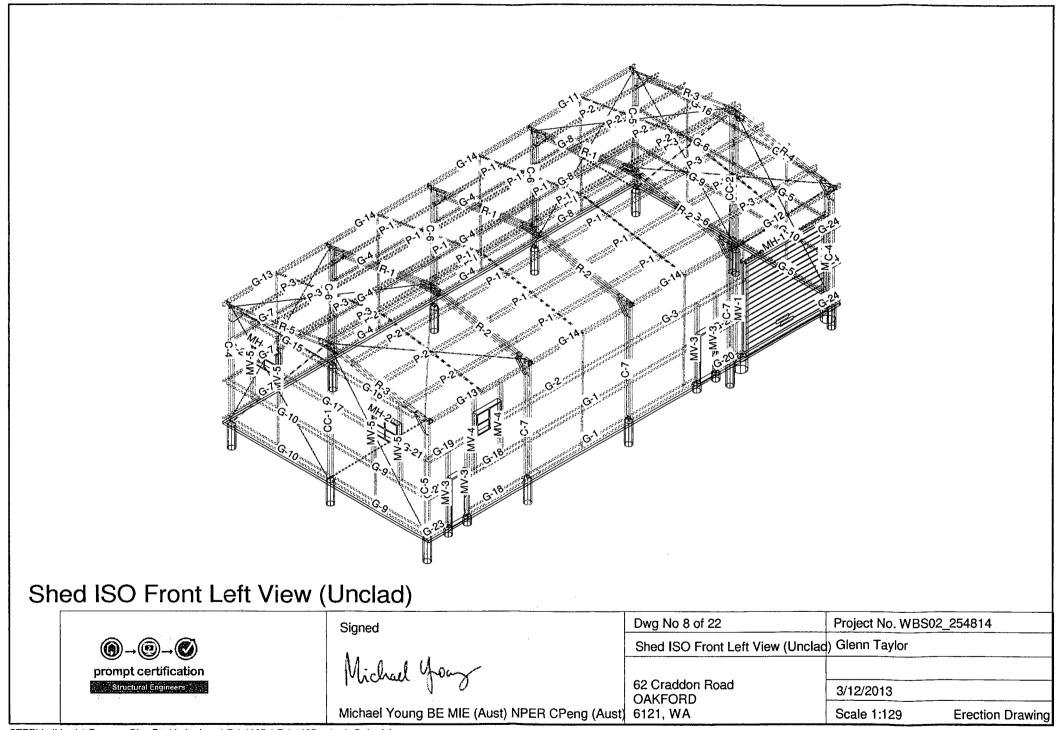


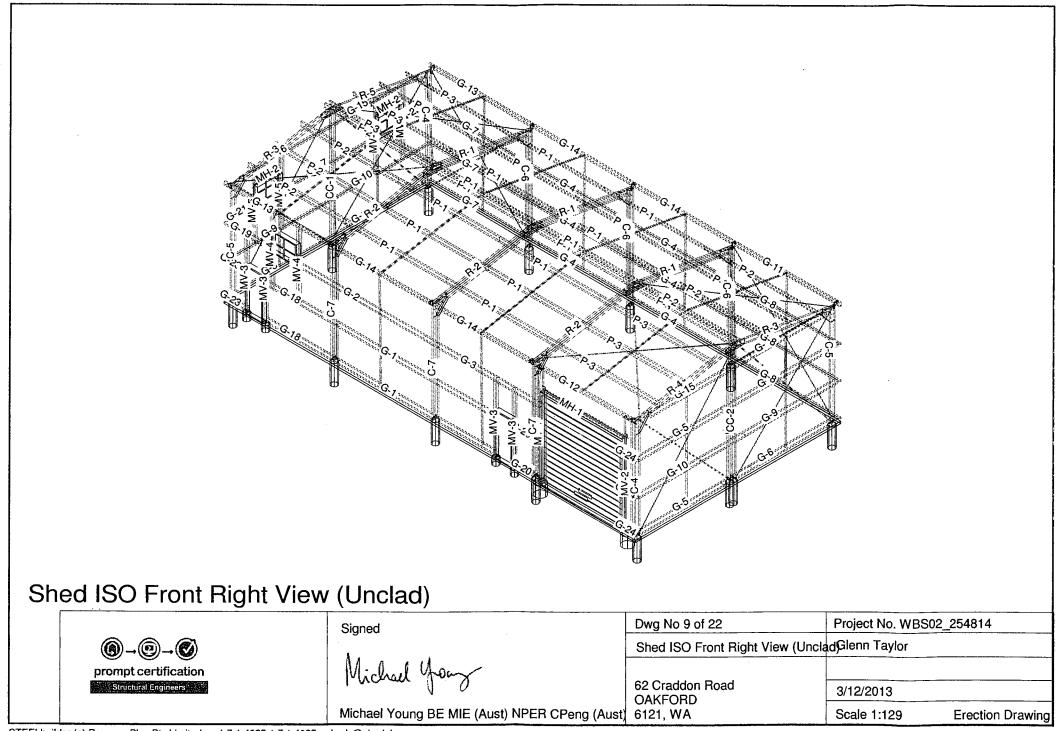


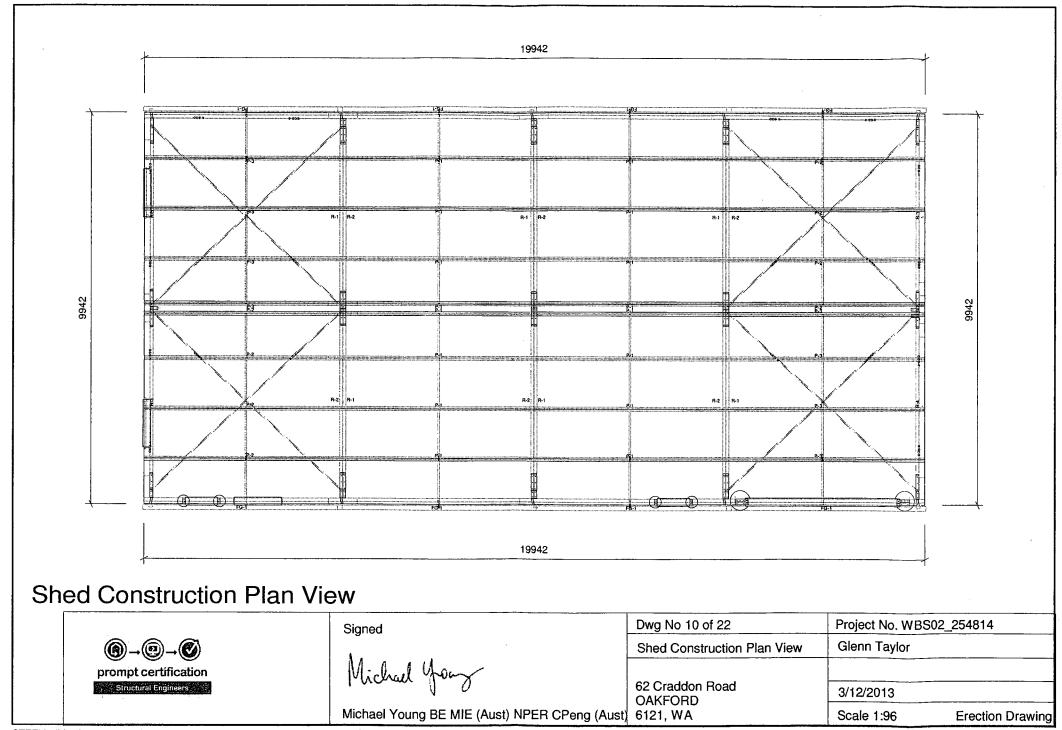


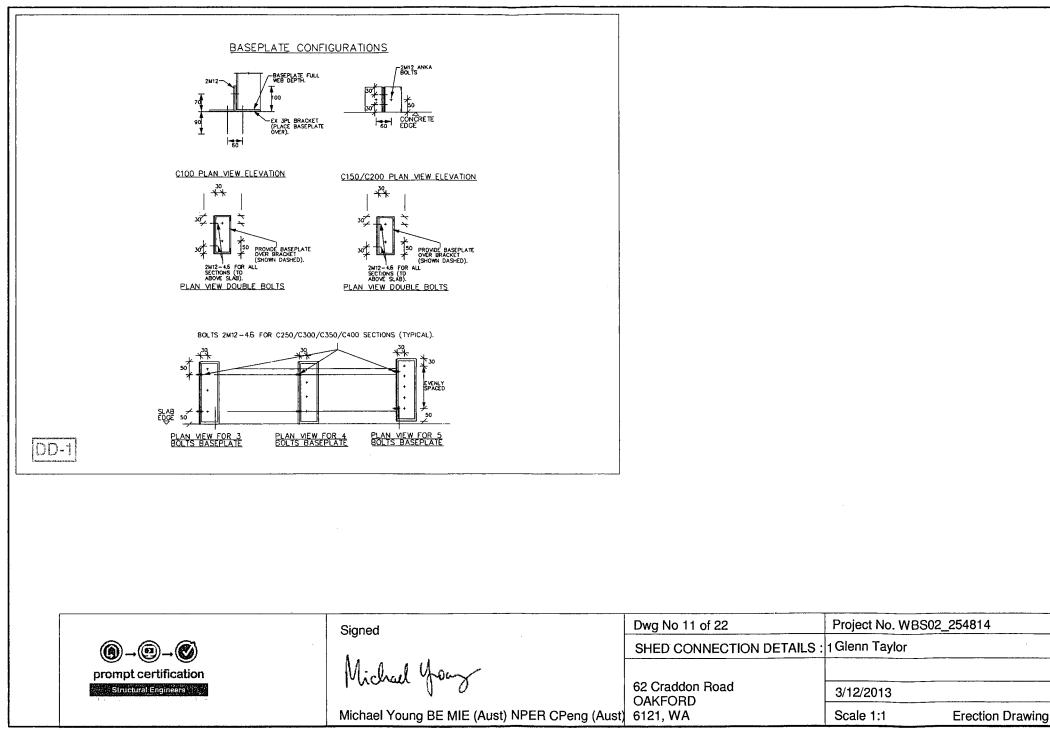
STEELbuilder (c) Program Plus Pty Limited - v 1.7.1.4025,1.7.1.4025 - sheds@shedplus.com.au

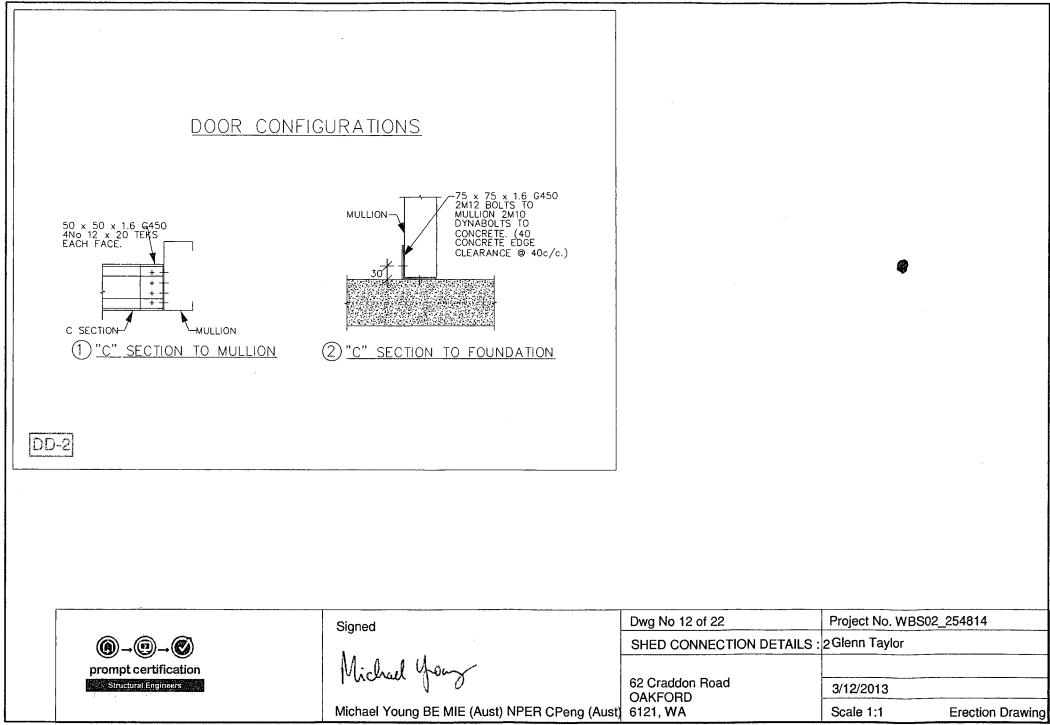


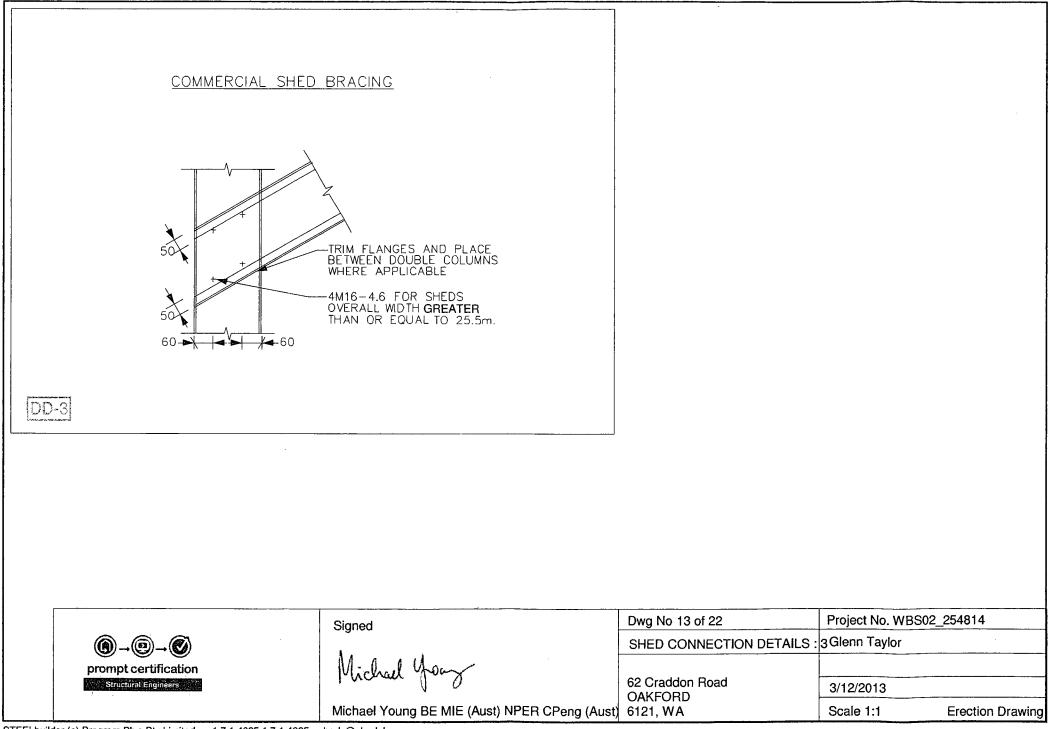


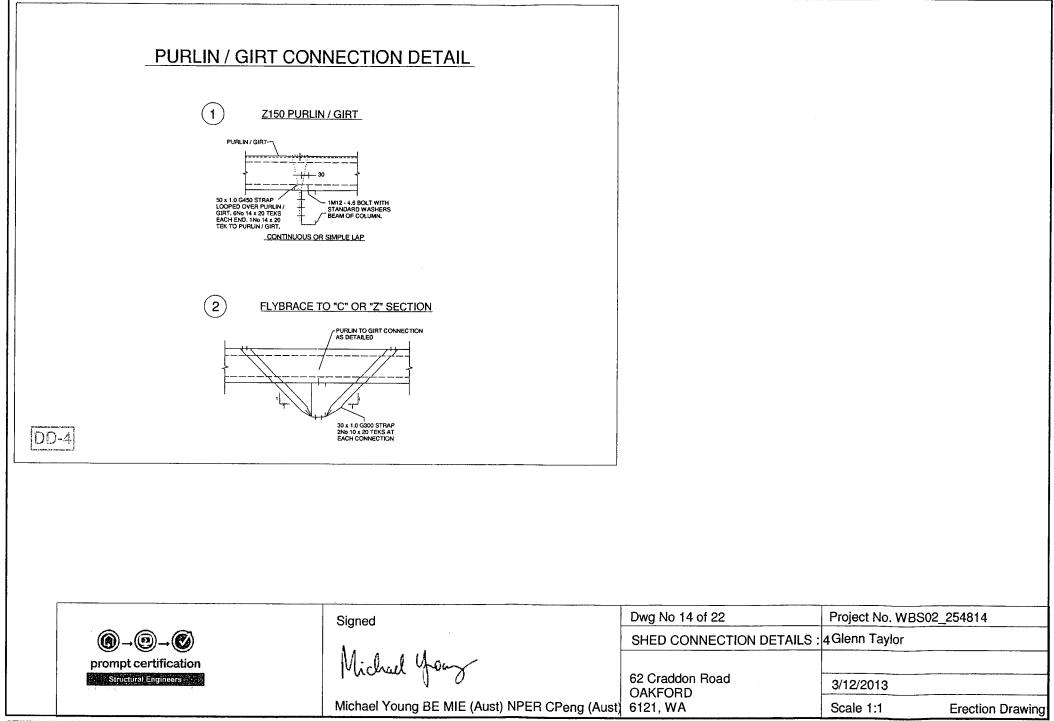


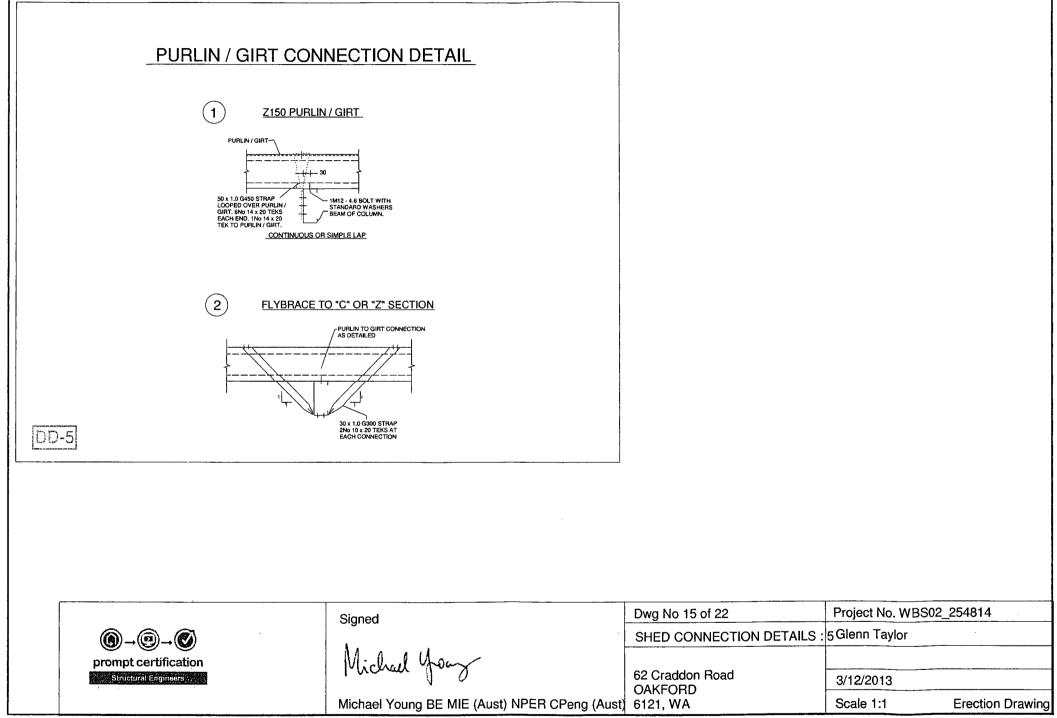


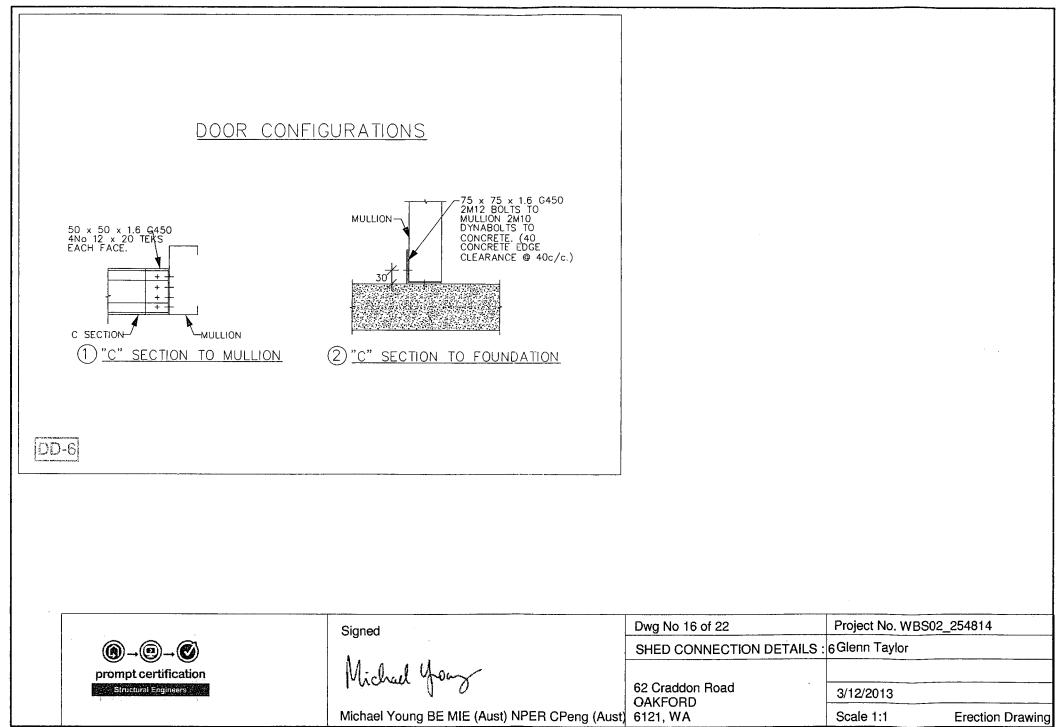


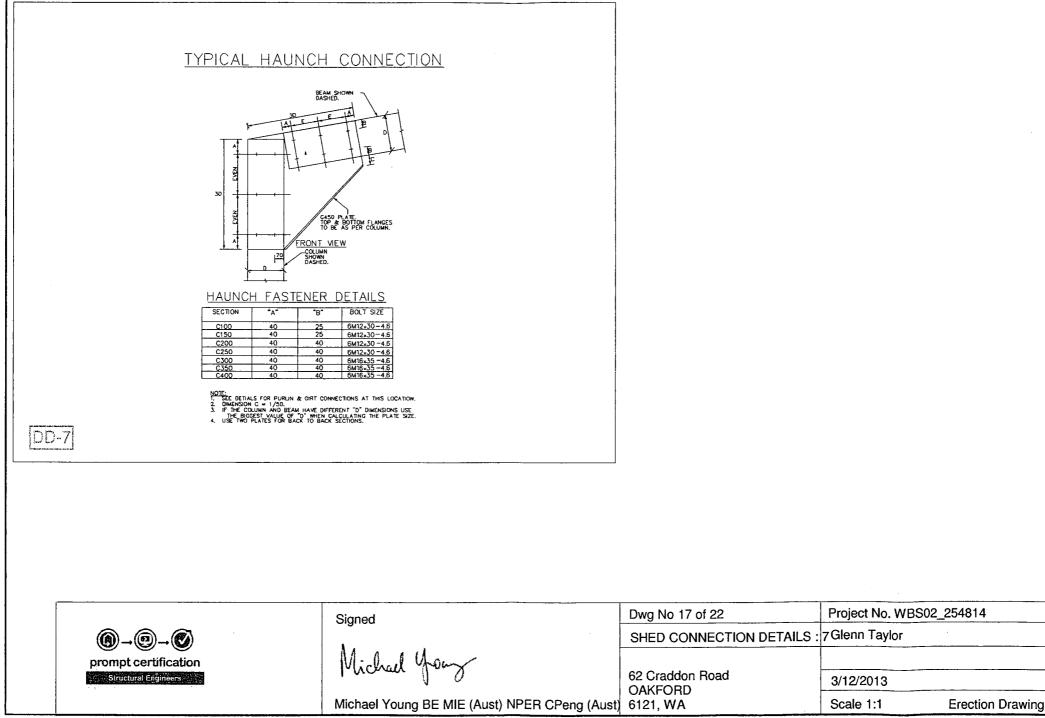


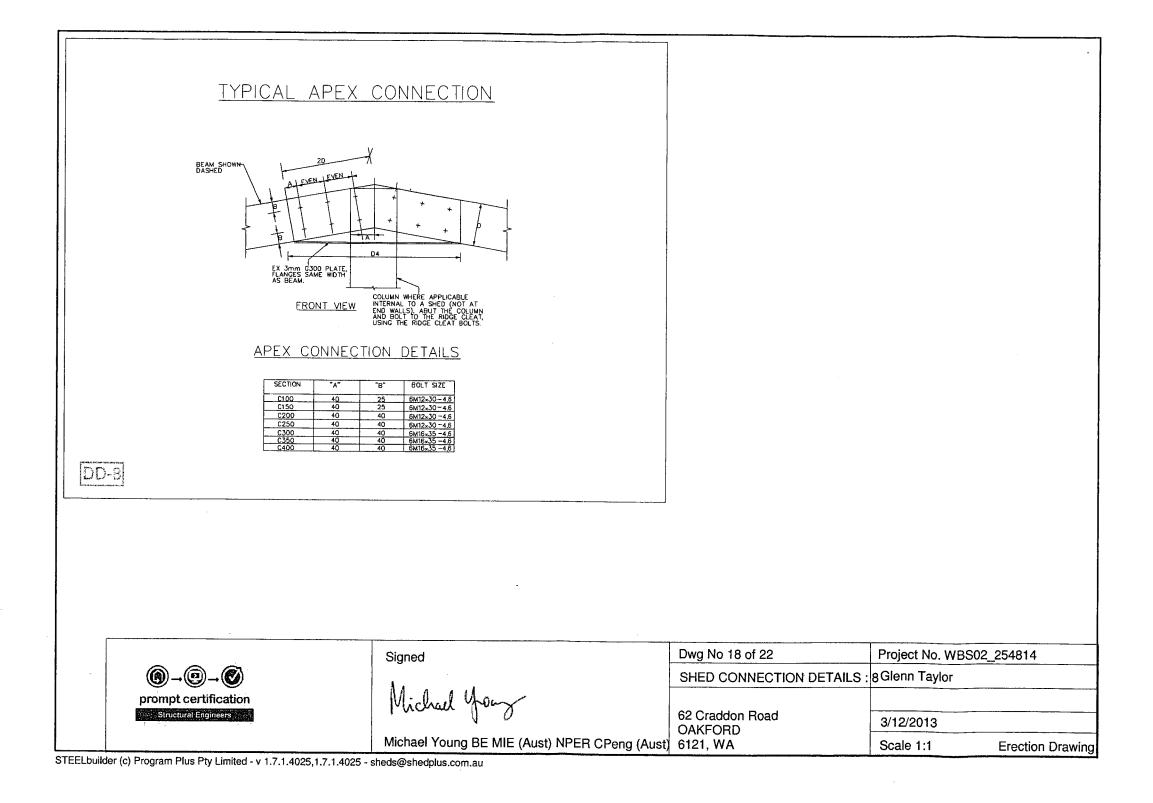


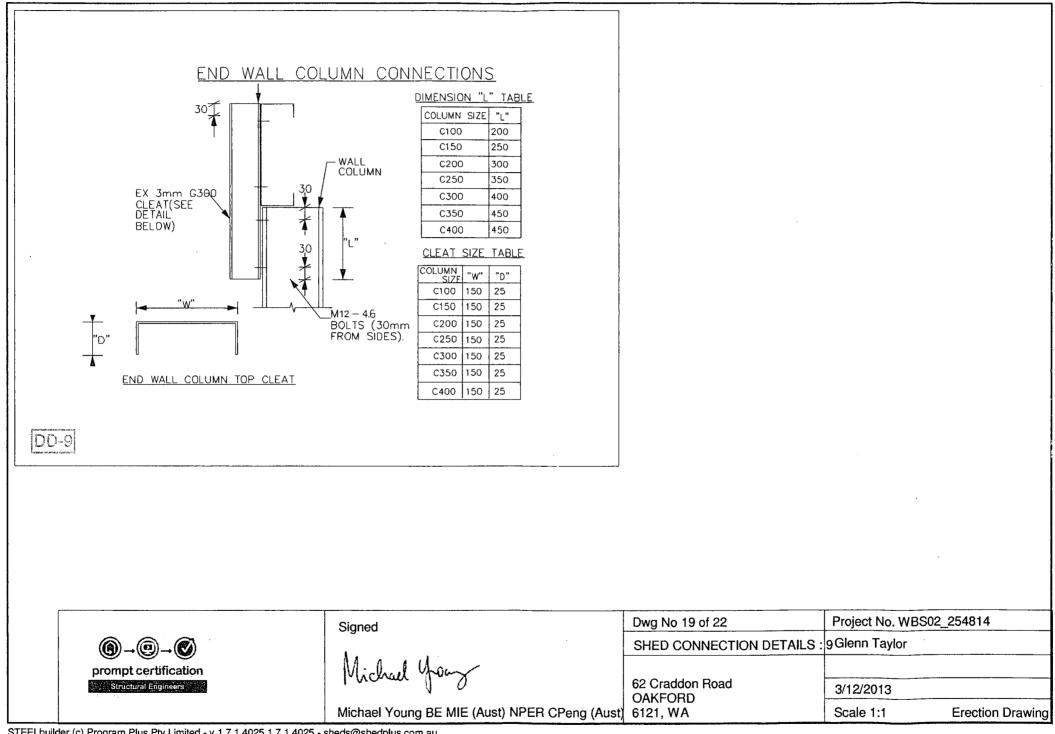


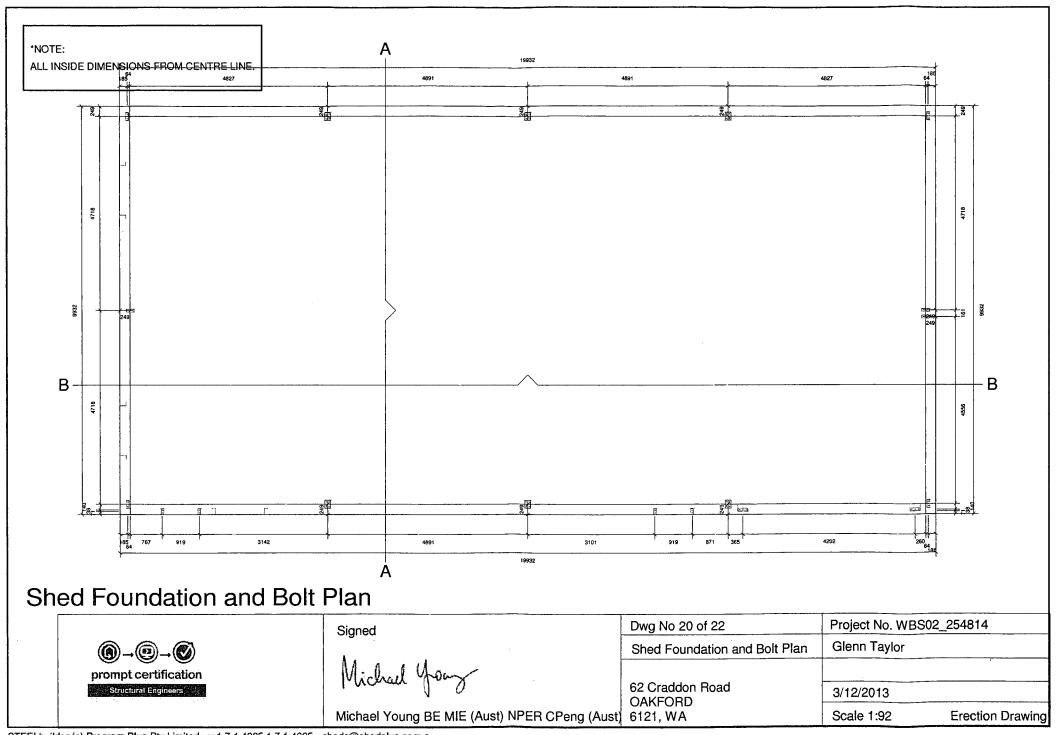




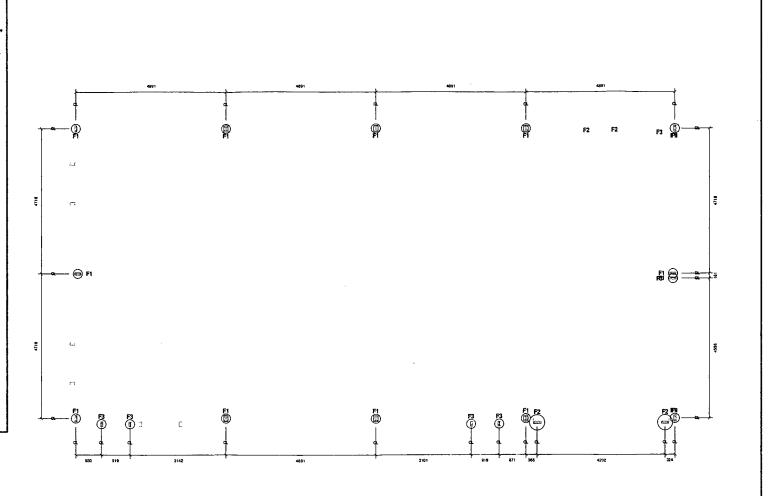








- 1. These details are suitable for satisfactory earthworks completed in accordance with the normal local site practice on sites classified as "A", "S", "M" and "E" in accordance with AS 2870. For soils "P" and "E" refer to a suitably qualified engineer.
- 2. Site classification to be confirmed by a local experienced person approved by the local building authority.
- 3. Prepare the site such that site general surface runoff cannot drain over or within 2.0m of the structure. Roof water and building apron runoff is to be drained away from the building.
- 4. Ensure the site slope conditions are stable. If in doubt, advice is to be obtained from the local building authority prior to starting earthworks. A geotechnical investigation by a qualified geotechnical engineer may be required by the local authority.
- 5. Do not undermine or surcharge any adjacent structures with this structure. Generally if a 1:1 line from the bottom of a foundation does not intersect any adjacent structure, or penetrate an adjacent slope, this provision is satisfied. 6. Foundation soil is to be clean natural ground or fill compacted over clear prepared natural ground. The level of compaction is to be sufficient to ensure a limit state bearing capacity of 150KPa and satisfactory building



## Shed Foundation Detail Plan



Signed

Project No. WBS02\_254814 Dwg No 21 of 22 Glenn Taylor Shed Foundation Detail Plan 62 Craddon Road 3/12/2013 OAKFORD Michael Young BE MIE (Aust) NPER CPeng (Aust) 6121, WA **Erection Drawing** Scale 1:123

