

Technical Report			
Application No:	PA19/952		
Lodgement Date:	17 September 2019	DAU Date:	
Address:	Lot 820,10 Staff Street, Jarrahdale		
Proposal:	Outbuilding		
Land Use:	Residential; Single House	Permissibility:	Permitted
Owner:	Peter James and Kerry Patricia Henson		
Applicant:	Grid Construction Pty Ltd		
Zoning:	'Special Use'	Density Code:	NA
Delegation Type:	11.1.1	Officer:	Heather O'Brien
Site Inspection:	Yes		
Advertising:	Yes – No submissions		
Outstanding Internal Referrals:	No		
External Referrals:	No		
Within a Bushfire Prone Area:	Yes – Exempt from requiring a BAL Assessment under Part 10A of <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.		

Introduction:

A planning application has been received on 19 September 2019 for an outbuilding at Lot 820, 10 Staff Street, Jarrahdale.

The subject lot is zoned 'Special Use' in accordance with the Shire's Town Planning Scheme No. 2 (TPS2). The proposed outbuilding is considered incidental to the 'Residential - Single House' land use which is permitted in the subject zone.

At the applicant's request, the proposal will be presented to Council for determination. For the reasons set out in the assessment, it is recommended that the proposal is refused.

Background:

The subject site is located on 10 Staff Street in Jarrahdale, which comprises of a row of six cottages formally timber workers cottages, c1890. The cottages are listed under Appendix 7 – Schedule of Places of Natural Beauty, Historic Buildings and Objects of Historical or Scientific Interest under TPS2.

The cottages are of timber construction with weatherboard cladding and front verandahs, painted various colours. The roofs are corrugated iron gabled roofs. The streetscape is uniform and typically, lots are developed with a modest outbuilding adjacent to the rear boundary. The lots abut Shire owned land to the rear that is densely vegetated. The place is characterised by centrally located modest cottages, on basic and relatively unimproved landforms with small detached outbuildings. This helps connect us back to the precarious and modest living conditions that workers faced in early times in the Jarrahdale timber industry.

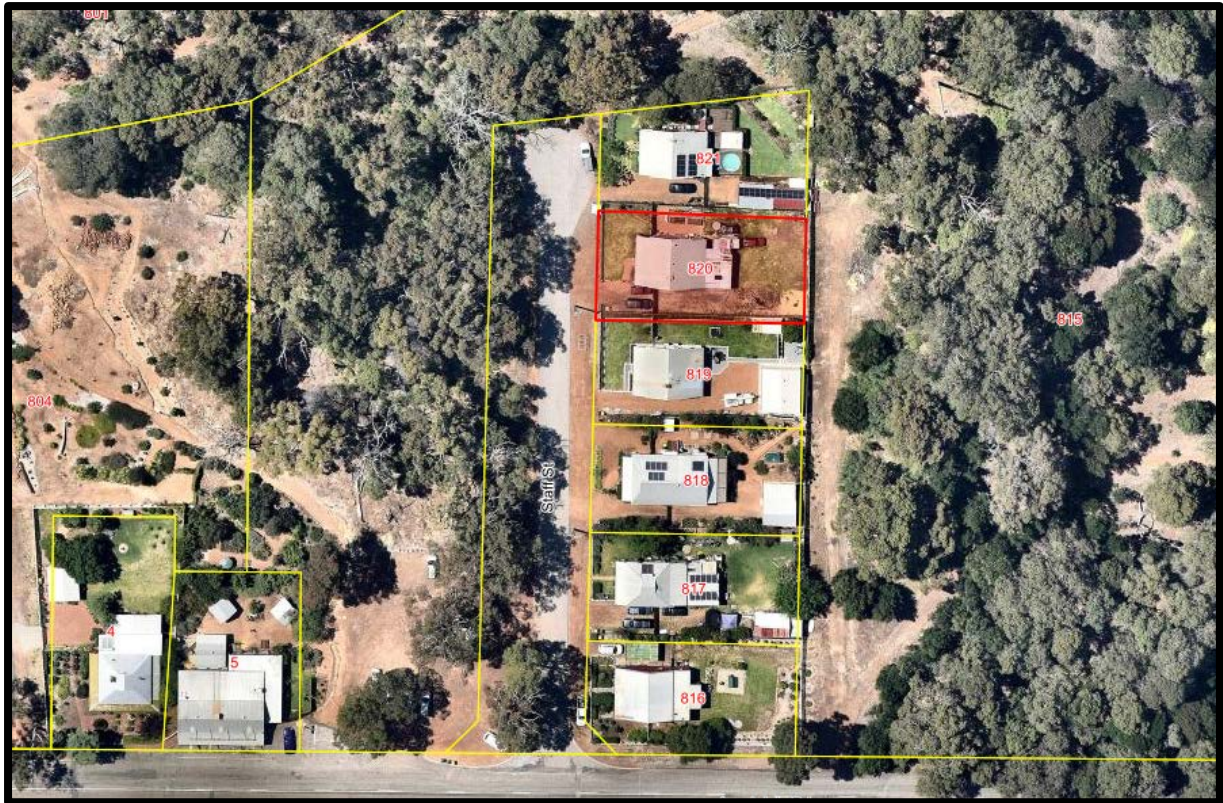


Figure 1 - Aerial Photograph

Existing Development:

The subject land is developed with a 'Single House'. An outbuilding was located in the south eastern corner of the lot that has recently been demolished.

Proposed Development

The application seeks approval for an outbuilding with a total area of 81m². It would be set back 0.7m from the rear boundary and 0.7m from the southern boundary with the neighbouring property. The outbuilding would have a 3.6m wall height and a 4.065m ridge height.

Under a separate development application, approval is sought for a retaining wall to retain the 1m high sand pad and level the driveway which currently slopes downwards towards the rear. Only the outbuilding forms part of this application. Effectively however, the combination of outbuilding and retaining would see a structure in excess of 5m compared to the current site.

The outbuilding would be of colorbond construction with 'monument' (charcoal grey) coloured walls and a zincalume roof. A portion of the outbuilding is proposed to be unenclosed with a pitched roof to house a caravan. The remainder of the outbuilding would be enclosed with a lean-to roof.

Community / Stakeholder Consultation:

Advertising was carried out for a period of 21 days, from 17 October to 17 November 2019 in accordance with Local Planning Policy 1.4 – Public Consultation for Planning Matters. During this period no submissions were received.

Statutory Environment:

- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Metropolitan Regional Scheme
- Shire of Serpentine Jarrahdale Town Planning Scheme No.2
- Shire of Serpentine Jarrahdale Municipal Heritage Inventory
- Draft Local Planning Scheme No.3
- Draft Local Planning Strategy

Planning Assessment:

A comprehensive assessment has been undertaken in accordance with section 67 of the Planning and Development Regulations 2015, the assessment can be viewed as part of the attachment.

Land Use:

The proposed outbuilding is considered incidental to the use of the existing 'Residential – Single House' land use. This is a 'P' use in the 'Special Use' zone under TPS2 which means *"the use if permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting planning consent."*

TPS2

The purpose and intent of the 'Special Use' Zone under TPS2 is to *"permit the use of land for any specific use not considered appropriate or desirable in any other zone and being a use which Council considers may satisfy a specific need in the locality where the use is proposed."*

It is considered that the use of the outbuilding, incidental to the existing dwelling, is appropriate in this 'Special Use' zone.

As previously stated, however, the cottages on Staff Street are listed under Appendix 7 – Schedule of Places of Natural Beauty, Historic Buildings and Objects of Historical or Scientific Interest of TPS2. TPS2 recognises the buildings to be of historic, architectural, scientific, scenic or other value and should be retained in their present state or restored.

It is acknowledged that the application does not seek to alter the fabric of the heritage building itself, however incidental development can have an impact on the heritage significance and character of an area. This will be discussed further in the Built Form section of the report.

In respect of TPS2 assessment, it is also important to highlight the relevant matters that the assessment is required to have due regard to. These include:

- (k) the built heritage conservation of any place that is of cultural significance;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.

For the reasons mentioned throughout the report, the size and scale of the proposed outbuilding is considered to exceed a reasonable threshold in terms of conserving cultural heritage values and the compatibility of development in respect of the setting of cottages along Staff Street.

Draft Local Planning Strategy (strategy)

The Strategy states *“the character of a place is closely linked to its heritage and it is therefore crucial that elements of heritage are preserved and incorporated into new developments.”* The relevant objectives of the Heritage and Culture section of the Strategy are as follows:

- *“Enhance the heritage values and character contained within existing urban areas and townsites.*
- *Ensure new development is visually integrated with heritage buildings.”*

The proposed development does not incorporate elements of heritage into its design and therefore is not considered to enhance the heritage character or values within the Jarrahdale townsite.

The addition of a material consistent with the history of Jarrahdale is considered a key requirements, to ensure the development is visually integrated with the heritage building and thus able to preserve the historic significance of the place. This is discussed in further detail under the Built Form section of the assessment.

Draft Local Planning Scheme No.3 (LPS3)

The subject site is zoned ‘Special Use’ under draft LPS3 and within Special Control Area 8 – Heritage (SCA8). The objectives of the zone under draft LPS3 are as follows:

- *“To facilitate special categories of land uses which do not sit comfortably within any other zone; and*
- *To enable the Council to impose specific conditions associated with the special use.”*

Within the subject ‘Special Use’ zone, the land use of ‘Single House’ to which the proposal is incidental to is a ‘D’ use. This means there is discretion available to permit the use.

The objectives of SCA8 are to:

- *“To ensure retention of the heritage character of the Precinct and the buildings within the Precinct; and*
- *To ensure the preservation of the Jarrahdale townscape, heritage and woodlot precinct character.”*

Draft LPS3 states that *“When considering applications for development approval, the local government shall have regard to any approved development guidelines and/or policies to retain the established and recognisable character of land within SCA8. 3.”* There are no current policies or design guidelines for the subject precinct, however it is considered that the proposal does not retain the established character of the land by way of urban form and design.

Draft LPS3 lists matters that should be considered when assessing an application for development approval in order to protect the historic character of the built form and townsite within SCA8. The relevant provisions are as follows:

- *A building on a lot abutting land within SCA8 shall demonstrate architectural design detail which reflects the scale, style and spatial arrangements of existing buildings within SCA8;*
- *Use of earthy colours and materials of low reflective quality for walls and roofs shall be encouraged;*
- *Site disturbance should be minimised. Cut and fill should be discouraged.*

The proposal consists of a colorbond outbuilding and does not demonstrate architectural design reflecting the style or scale of existing buildings on Staff Street. The scale results in a

spatial arrangement inconsistent with the historical urban form pattern. It results in a form of outbuilding, which in addition to proposed retaining, would overwhelm the scale and placement of cottages in the Staff Street streetscape.

Shire of Serpentine Municipal Heritage Inventory (MHI)

The Shires MHI was adopted on 31 July 2000 and sets out the places/objects of heritage significance within the Shire. The MHI details the significance of each place and includes heritage values and management categories.

The subject site holds heritage significance as *“the cottages and quarters are typical of the worker’s accommodation provided for the people, both single and married, who worked in the timber industry. Particularly important as a cohesive group of cottages and quarters forming a small precinct”*.

The cottages are significant for their association with the timber industry which was the basis for the development of the Jarrahdale townsite. The MHI awards the subject site heritage values for the aesthetic and historical significance and social, rarity and represent.

The MHI awards the cottages a management category of 1A/B – Conservation Essential. This means that the cottages should be afforded the highest level of protection appropriate, with a maximum encouragement to landowners to conserve the significance of the place. The MHI states that design guidelines/heritage policies should be developed in order to *“enhance and conserve the place in context with its location”*. To date, the Shire has not developed such polices/guidelines.

Built Form

While the proposal does not involve the alteration of the fabric of the heritage building itself, it is important that incidental development is in keeping with the character of the area and results in the heritage buildings being the prominent development on the site and within the streetscape. Development incidental to a heritage building should *“enhance and conserve the place in context with its location”*, consistent with the intent of TPS2, LPS3 and the MHI.

The proposed outbuilding would be sited along the rear and side (southern) boundaries of the site. Generally, it is considered that siting of the proposal behind the existing dwelling would not adversely impact upon the streetscape or heritage values of the precinct, subject to the scale and external appearance of the building.

The proposed outbuilding is considered to be significant in scale especially in comparison with what would be expected in this location. Historically, outbuildings within this streetscape were modest in scale, located within the very rear corner of the lot, as show below:



Figure 2 - Aerial Photograph - 1977



Figure 3 - Street view October 2014

To conserve and enhance this heritage precinct, it is considered that an outbuilding should be modest in scale and appear subservient to the single dwelling. It is considered that the scale of the proposed outbuilding would appear at odds with development in the immediate locality and would dominate the dwelling. It is considered that the scale of the outbuilding would also alter the historic settlement pattern and street configuration as show in figure 2.

As the outbuilding would be visible from the street, it is considered that the scale would detrimentally impact on the character and amenity of the streetscape which is currently characterised with the heritage dwellings being at the forefront of the streetscape and modest outbuildings located to the rear. Currently, outbuildings on Staff Street do not appear visually prominent within the streetscape.

The proposed outbuilding is not considered compatible with development within its setting by way of bulk and scale. It is noted that there is an outbuilding located on the adjacent lot of colorbond construction, which also could be considered out of character with the heritage precinct. Council should note that this individual outbuilding does not set a precedent for future development in the street. It is also worth noting that this adjacent outbuilding is simple in form, smaller in scale and not visibly intrusive within the streetscape of Staff Street. The introduction of further large outbuildings would incrementally alter the urban form and character of the streetscape.

Comparison of these is provided following:

	8 Staff Street (approved)	10 Staff Street (proposal)
Floor Area	57.4m ²	81.38m ²
Wall Height	3m	3.6m
Ridge Height	3.6m	4.065m
Retaining Wall Max Height Above NGL	0.85m	1.16m
Material	Colourbond	Colourbond / Trimdek cladding
Colour	Surfmist	Monument

The outbuilding is proposed to be of colorbond construction coloured 'monument' (grey). While it is acknowledged that modern buildings of simple form can be designed in such a way to compliment a heritage building, this use of colour and materials, taken with the scale, would result in an incongruous addition to the lot and the streetscape. The form of the outbuilding is not considered sympathetic to the form of the main house and the outbuilding would not appear visually related.

During the application process, Officers discussed the concerns with the landowners and gave advice in regard of the type of materials that could be introduced to ensure the proposal appeared related to the dwelling and was sympathetic to the heritage values of the precinct. Furthermore, LPS3 requires for new development to demonstrate architectural design which reflects the scale, style and spatial arrangements of existing buildings within the Special Control Area.

The image below shows an example of a modern outbuilding incorporating materials to appear visually related and sympathetic to the existing character of an area.



Figure 4 – Illustration of outbuilding incorporating bush poles

The above image shows a modern style outbuilding of simple form with the introduction of bush poles. It is considered that the introduction of this type of material or timber look cladding would result in the outbuilding appearing visually related to the main dwelling and include traditional materials representative of the timber industry in Jarrahdale, creating a sense of place.

The applicant confirmed that no further amendments were to be made to the proposal. In light of this, Officers consider that insufficient information has been provided to address the preservation of the heritage precinct by way of historic and aesthetic significance. The omission of heritage elements from the proposal is considered inconsistent with the draft Strategy which as previously discussed states it is “crucial that elements of heritage are preserved and incorporated into new developments.”

It is considered that the design of the outbuilding due to the cumulative impacts resultant from scale and external appearance would not *“enhance and conserve the place in context with its location”*, contrary to the planning framework. It is recommended for refusal on this basis.

Residential Amenity

The proposed outbuilding would have a wall length of 9m with a height of 4.6m (including 1m high sand pad), located 0.7m from the boundary with the adjacent dwelling. Whilst the scale of the outbuilding in this location could potentially adversely impact on residential amenity by way of building bulk and overshadowing, it is noted that the adjoining property has an outbuilding abutting this common boundary. Due to the use of space at the neighbouring property and the fact that two thirds of this elevation are unenclosed, it is considered that any impact on the neighbouring residents is mitigated and would not be so adverse as to warrant refusal of the application.

The land to the rear of the subject site is owned by the Shire and historically was associated with the timber mill. The land comprises of significant vegetation and contains informal

footpaths. This site is accessible to the public. Although the height of the outbuilding would result in it being visible from the rear, it is not considered that this visibility would result in an impact so adverse to warrant refusal of the application.

Conclusion

The application seeks approval for an outbuilding to the rear of the subject site which is located within a heritage precinct in Jarrahdale. It is considered that the scale and external appearance of the outbuilding is not compatible with development in the surrounding precinct and does not preserve or enhance the historic or aesthetic heritage significance of the area. The design of the outbuilding is considered to adversely impact on the character of the area and is therefore recommended for refusal.

Refusal Reasons

- a. The proposal, by way of its external appearance, would have a detrimental impact on the established character and heritage significance of the precinct to which it is located, contrary to *Schedule 2, Part 9, Clause 67 (k), (l)* of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Shire of Serpentine Jarrahdale Municipal Heritage Inventory.**
- b. The proposal, by way of its height, bulk, scale and appearance, is not compatible with development within its setting contrary to *Schedule 2, Part 9, Clause 67(m) and (n) (ii)* of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
- c. The proposal by way of form and external appearance would not appear visually integrated with the existing heritage building on the lot, contrary to the Shire of Serpentine Jarrahdale Draft Local Planning Strategy.**
- d. The proposal does not reflect the scale, style and spatial arrangements of existing buildings within the locality, contrary to the objectives of Special Control Area 8 of the Shire of Serpentine Jarrahdale Draft Local Planning Scheme No.3**

Deemed Provisions – Cl 67 Matters to be considered by local Government

Land Use:

a) The aims and provisions of this Scheme and any other local planning scheme operating within the area	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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Comment: The proposal is listed under Appendix 7 – Schedule of Places of Natural Beauty, Historic Buildings and Objects of Historical or Scientific Interest. The proposal is considered incompatible with the heritage significance for the reasons outlined in the assessment.

b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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Comment: Considered inconsistent with Draft LPS3 due to scale and external appearance.

c) any approved State planning policy	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d) – None Applicable to this area from what I can determine	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

e) any policy of the Commission	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

f) any policy of the State	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

g) any local planning policy for the Scheme area	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

h) any structure plan, activity centre plan or local development plan that relates to the development	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			

i) any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Considered inconsistent with the special control area under LPS3.			

j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			

Development:

k) the built heritage conservation of any place that is of cultural significance	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Comment: It is considered that the proposal would adversely impact on the heritage significance of the precinct for the reasons outlined in the assessment.			

l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Comment: It is considered that the proposal would adversely impact on the heritage significance of the precinct for the reasons outlined in the assessment.			

m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Comment: It is considered that the proposal by way of scale and external appearance is not compatible with the historic patterns or current development in the area			

n) the amenity of the locality including the following – I. Environmental impacts of the development II. The character of the locality III. Social impacts of the development	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Comment: It is considered that the proposal by way of bulk and scale would have an adverse impact on the character of the locality for the reasons outlined in the assessment.			

o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

r) the suitability of the land for the development taking into account the possible risk to human health or safety	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

s) the adequacy of – I. The proposed means of access to and egress from the site; and II. Arrangements for the loading, unloading, manouvering and parking of vehicles	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity off the road system in the locality and the probable effect on traffic flow and safety	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

u) the availability and adequacy fir the development of the following – I. Public transport services II. Public utility services III. Storage, management and collection of waste IV. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities) V. Access by older people and people with disability	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

w) the history of the site where the development is to be located	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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Comment:

x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

y) any submissions received on the application	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

Za) the comments or submissions received from any authority consulted under clause 66	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

Zb) any other planning consideration the local government considers appropriate	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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Comment: The proposal is considered inconsistent with the Shire's MHI for the reasons outlined in the assessment.