

OUTBUILDING - DEVELOPMENT ASSESSMENT SHEET

APPLICATION DETAILS			
OFFICER NAME	Ryan Fleming	APPLICATION NO.	PA21/296
PROPOSAL	Outbuilding		
LOCATION	L501, 157 Abernethy Road, Byford		
APPLICANT	As below		
OWNER	Jason Hill		
APPLICATION RECEIVED	08/03/2021	APPLICATION DATED	29/03/2021
ZONING	'Urban Development'	LOT AREA	855.58m ²
STRUCTURE PLAN	DSP – 2020 Byford District Structure Plan LSP – Byford Main Precinct	LDP	The Glades at Byford DAP 6A
LAND USE	'Residential – Single House'	PERMISSIBILITY	Permitted

INTERNAL REFERRALS		
	Y / N	Comment
Emergency Services	N/A	No comments
Engineering	N/A	No comments
Health	Y	No comments
Building	Y	BA under assessment
Environment	N/A	No comments
Compliance	Y	Confirming nature of the vehicle

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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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>Comment: The proposal is for an outbuilding for domestic storage and a vehicle, which falls within the 'Residential – Single House' land use, which is able to be considered within the 'Urban Development' zone and the 'Residential' designation under the LSP and DSP.</p> <p>Land Use: An outbuilding is defined under the R-Codes as, "<i>An enclosed non-habitable structure that is detached from any dwelling</i>". The proposal is for the purpose of general domestic storage and the parking of a vehicle. This would mean that it is incidental to the existing 'Residential – Single House' land use. Incidental is defined under TPS2 as "<i>the use of land in conjunction with and ancillary to the primary use on the land</i>". Given the outbuilding is incidental to the Residential – Single House' land use, which is permitted within the zone and LSP, the proposal is capable of approval.</p>			
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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>Comment: The property is to remain zoned 'Urban Development' under draft LPS3, where land use permissibility is as per TPS2 for the subject use.</p>			
c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to R-Code assessment			
d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
e) any policy of the Commission	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
f) any policy of the State	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: r-code assessment			
g) any local planning policy for the Scheme area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>

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Comment: Refer to assessment of LPP4.19

h) any structure plan, activity centre plan or local development plan that relates to the development (include building envelope)	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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Comment: LSP and LDP considered further in this assessment

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 type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

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"/>
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Comment:

Development:

k) the built heritage conservation of any place that is of cultural significance	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

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 type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment:

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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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Comment: Refer to R-Code assessment

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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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Comment: Consistent with character by way of scale

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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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Comment: Standard stormwater condition to be applied requiring that stormwater be retained within the property to the satisfaction of the Shire and not diverted to outside the property.

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: Not considered required, no trees removed or impacted

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: There are no planning requirements for a BAL assessment due to the proposal being for non-habitable purposes in accordance with Schedule 2, Part 10A, Clause 78B of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

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, manoeuvring and parking of vehicles	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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Comment: Existing access arrangements to be utilised

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 for 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 type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" 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	NO	N/A
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comment: Two objections received during advertising – refer to Council Report			

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"/>
Comment:			

Zb) any other planning consideration the local government considers appropriate	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			

Byford Main Precinct (The Glades) – Local Structure Plan (LSP)

The LSP designates the property as 'Residential – R12.5'. The development falls within the existing 'Residential – Single House' land use, which is permitted in the 'Residential' zone. Thereby the development is consistent with the intended character of the area according the LSP. The R12.5 d-t-c requirements of the R-Codes have been considered below.

The Glades at Byford – Stage 1 – Local Development Plan (LDP)

The LDP for this site designates the block as R10, though it is an older document that does not take into account the currently subdivided nature of the block. There are no variations to the d-t-c standards in the LDP in relation to outbuildings that would impact this proposal.

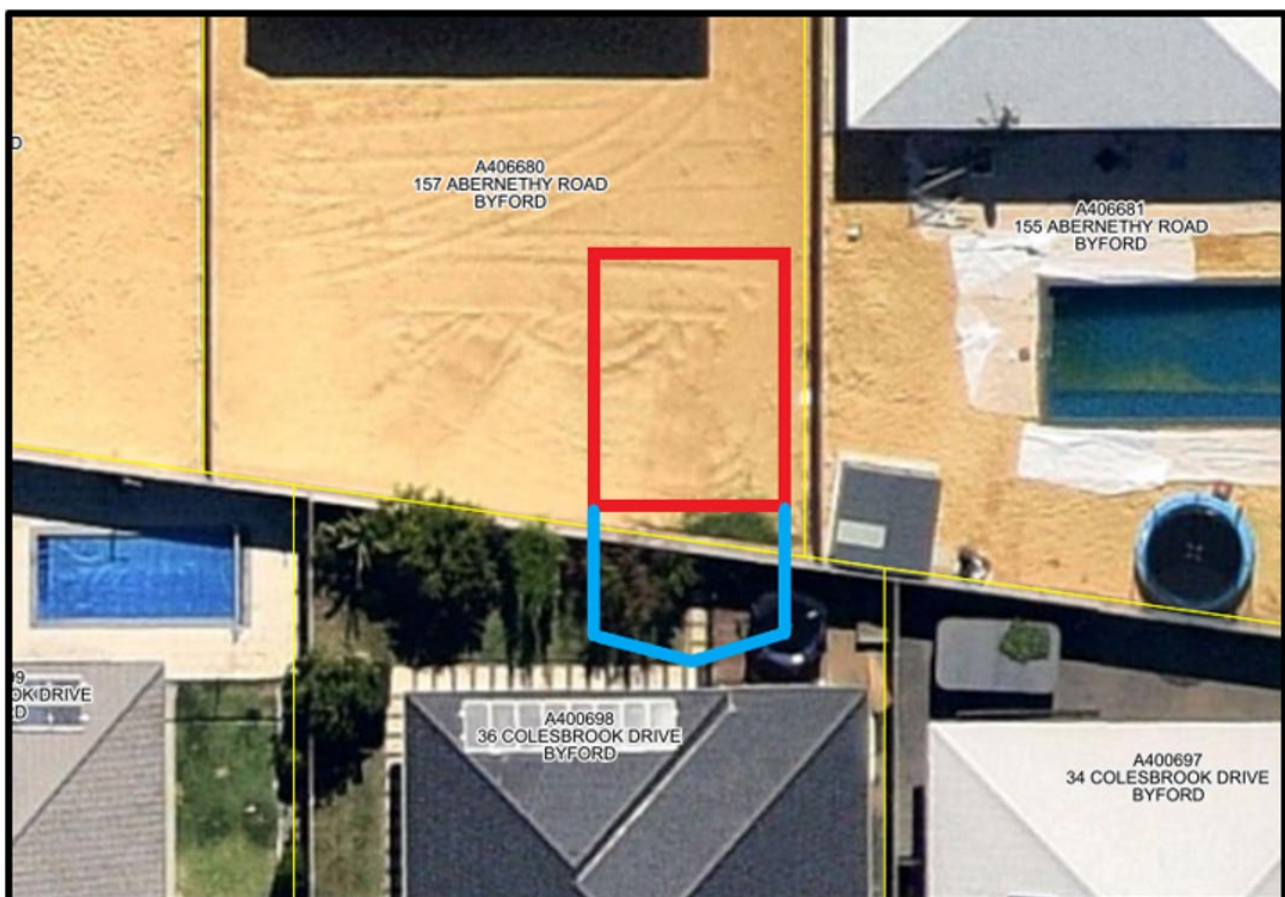
5.4.3 OUTBUILDINGS				
	D-t-C	Proposed	OK	Comment
Wall Height	2.4m	2.7m	N	
Ridge Height	4.2m	3.283m	Y	
Floor Area	<60m ² /10% site area whichever is lesser	48m ²	Y	
Open Space (%)	60%	63%	Y	

Setbacks	Length	Height	MO	D-t-C	Proposed	OK
Primary street (north)	6m	2.7m	N	7.5m	35.3m	Y
Side (west)	8m	2.7m	N	1m	11.6m	Y
Side (east)	8m	2.7m	N	1m	1m	Y
Rear (south)	6m	2.7m	N	1m	1m	Y

5.4.2 SOLAR ACCESS FOR ADJOINING SITES				
	D-t-C	Proposed	OK	Comment
Overshadowing	25%	3.15%	Y	
Note: R25 and lower 25%, R30 – R40 35%, R-IC or above R40 50% of adjoining site area.				



Proposed location of the outbuilding



Overshadowing area is only 3.15% of neighbouring block to the south

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Assessment of Variations				
Planning Element	Design Principles	D-t-C	Proposed	Comment
5.4.3 – P3 Outbuildings	Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.	Wall height: 2.4m	2.7m	<p>Officers do not consider the proposed outbuilding would impact the streetscape due to the siting.</p> <p>In relation to visual amenity, Officers note that the only variation is to the 300mm wall height. The application complies with the floor area, setback and importantly, the overall height deemed-to-comply requirements within the R-Codes. Generally, Officers consider that the 300mm wall height variation is minor and any adverse visual impact of the variation would be offset by the following:</p> <ul style="list-style-type: none"> • The general compliance of all other d-t-c requirements of the R-Codes • The fact that the site is set lower than the objector's site <ul style="list-style-type: none"> ○ It is 400mm lower than the neighbour to the East; and ○ 600mm lower than the neighbour to the South. • Officers note that the ridge height could be 1m higher and still comply with d-t-c ridge height, which would bear an impact to the locality. • The use of the outbuilding is proposed for residential storage and vehicle parking, not for a business or use which could result in adverse noise impacts.
LPP4.19 – Outbuildings, Sheds, Garden Sheds and Sea Containers				
	Provision		Comment	
2.2.1	Whether a size variation is required to satisfy specific needs of the owner/applicant		The wall height variation of 300mm is required to allow for a roller door to be installed so that a vehicle can be parked in the shed.	
2.2.2	Whether a size variation is excessive, considering the character of the surrounding area		The wall height variation of 300mm is not out of character with the surrounding area, considering the minor variation and that the block is set lower than the neighbours blocks in terms of the retaining height.	
2.2.3	Whether a size variation would reduce the amount of open space or outdoor living area required in accordance with the R-Codes		Compliant with the d-t-c requirements of the R-Codes	
2.2.4	Whether the development is sited behind the front setback line for the dwelling, visible from the street or neighbouring properties;		<p>No adverse impact on the primary street impact given the setback</p> <p>The outbuilding would be visible from neighbour properties however this visibility is not considered to result in an adverse amenity impact – refer to Council Report for full reasoning</p>	
2.2.5	Whether non-reflective materials are proposed on the building		Colourbond materials proposed.	
2.2.6	Whether adequate screening exists, or has been proposed, from the road and/or neighbouring;		The proposal would be screened by the neighbour's shed to the east and screened by dwelling to the street. No further screening has been proposed, Officers consider that this should not be imposed.	
2.2.7	Consideration of comments from the affected adjoining landowners		Two objections were received – refer to Council report for full assessment.	
2.3.1	How the proposal will not adversely impact the adjoining property owners. This could include written non-objections from the		Refer to design principle justification section.	

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	adjoining landowners and/or photographs as viewed from the proposed location of the shed, garden shed, outbuilding or sea container	
2.3.2	How the streetscape or the amenity of the locality will not be negatively impacted	Refer to Council report for full assessment.
2.3.3	How any potential negative visual impacts can be ameliorated. This may include the provision of vegetative screening and/or colours or materials matching the existing buildings or vegetation on site	It is considered that the proposal would not result in any adverse visual impacts. Refer to design principle justification section.